

**COURT NO. 3, ARMED FORCES TRIBUNAL**  
**PRINCIPAL BENCH: NEW DELHI**

**63.**

**OA 603/2019 with MA 1178/2019**

**Ex JWO Parthasarathi V**

**... Applicant**

**Versus**

**Union of India and Ors.**

**... Respondents**

**For Applicant** : Mr. Ajit Kakkar, Advocate

**For Respondents** : Mr. Shyam Narayan, Advocate

**CORAM :**

**HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)**

**HON'BLE LT GEN C. P. MOHANTY, MEMBER (A)**

**O R D E R**

**09.01.2023**

**MA 1178/2019**

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 5759 days in filing the present OA. In view of the judgments of the Hon'ble Supreme Court in the matter of **UoI & Ors Vs Tarsem Singh 2009(1)AISLJ 371** and in **Ex Sep Chain Singh Vs Union of India & Ors (Civil Appeal No. 30073/2017)** and the reasons mentioned, the MA 1178/2019 is allowed and the delay of 5759 days in filing the OA 603/2019 is thus condoned

despite opposition by the respondents. The MA disposed of accordingly.

**OA 603/2019**

Counter affidavit filed by the respondents is taken on record. Time is sought by the applicant to file rejoinder. Same be filed within four weeks.

The matter be re-notified for final hearing on **17.04.2023.**

**[JUSTICE ANU MALHOTRA]  
MEMBER (J)**

**[LT GEN C. P. MOHANTY]  
MEMBER (A)**

NK/AP