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

8.

OA 1320/2019 with MA 2057/2019 & MA 825/2020

Sowar Manoj Singh Bhadauriya (Retd.) ... Applicant

Versus

Union of India and Ors. ... Respondents

For Applicant: Ms. Archana Ramesh, Advocate **For Respondents**: Mr. Prabodh Kumar, Advocate

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J) HON'BLE LT GEN C. P. MOHANTY, MEMBER (A)

> ORDER 13.01.2023

MA 2057/2019

This is an application filed under Section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 2614 days in filing the present OA. In view of the judgments of the Hon'ble Supreme Court in the matter of Uol & 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 in the application, the MA 2057/2019 is allowed and the delay of 2614 days in filing the OA 1320/2019 is thus condoned. The MA disposed of accordingly.

MA 825/2020

This is an application filed on behalf of the respondents for condonation of delay of **67** days in filing the counter affidavit. In view of the reasons explained in the MA and in the interest of justice, the MA 825/2020 seeking condonation of the delay is allowed. The MA thus stands disposed of.

OA 1320/2019

Counter affidavit filed by the respondents is taken on record. No rejoinder is sought to be filed on behalf of the applicant.

The matter be re-notified for final hearing on **04.07.2023**.

(JUSTICE ANU MALHOTRA) MEMBER (J)

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

AP/pooja