

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

9.

OA 1340/2019 WITH MA 101/2021 & 2089/2019

Ex Cpl K K Chopra	.....	Applicant
VERSUS		
Union of India and Ors.	.....	Respondents

For Applicant	:	Mr Praveen Kumar, proxy for Mr. Virender Singh Kadian, Advocate
For Respondents	:	Mr. Prabodh Kumar, Advocate

CORAM

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

**HON'BLE LT GEN P. M. HARIZ, MEMBER (A)**

**ORDER**

**04.01.2023**

**MA 2089/2019**

This is an application filed under section 22(2) of the Armed Forces Tribunal Act, 2007 seeking condonation of delay of 4985 days in filing the present OA. Learned counsel for the respondents fairly does not oppose the prayer made on behalf of applicant. 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 2089/2019 is allowed and the delay of 4985 days in filing the OA 1340/2019 is thus condoned. The MA is disposed of accordingly

**MA 101/2021**

This is an application filed on behalf of the respondents for condonation of delay of 76 days in filing the counter affidavit. In view of the reasons explained in the MA and in the interest of justice, the MA 101/2021 condoning the delay is allowed. The MA thus stands disposed of.

**OA 1340/2019**

Counter affidavit filed on behalf of the respondents is taken on record.  
Rejoinder, if any, may be filed within four weeks.

List before the Principal Registrar for completion of pleadings on  
**03.03.2023** and thereafter before this Bench.

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

**(P.M. HARIZ)  
MEMBER (A)**

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