

**IN THE ARMED FORCES TRIBUNAL
REGIONAL BENCH, GUWAHATI.**

MA - 02/2017
(In OA-03/2017)

Shri David Manga,
No. 4369882) Ex-Sepoy
Arunachal Scouts,
R/o Assam Regimental Centre (ARC),
Happy Valley, Madanriting, Shillong,
East Khasi Hills, Dist. Meghalaya.

.....**Applicant.**
By legal practitioners
for Applicant.
Mr. K.C.Gautam
Mr. D.Gangte
Mr. WM Sangma
Mr. M Haque
Mr. BK Biswa

-Versus-

1. **Union of India,**
through the Secretary,
Ministry of Defence (MoD),
South Block, Defence HQ, New Delhi-110001.
2. **Chief of Army Staff,**
South Block, Defence HQ, New Delhi-110001.
3. **General Officer Commanding,**
3 Crops, C/o 99 APO.
4. **The Commanding Officer,**
1 Arunachal Scouts, PIN- 910341,
C/o 99 APO.

.....**Respondents**
By legal practitioners
for Respondents.
Brig N.Deka (Retd), **CGSC.**

PRESENT

HON`BLE MR. JUSTICE B.P.KATAKEY, MEMBER (J)
HON`BLE VICE ADMIRAL MP MURALIDHARAN, MEMBER (A)

ORDER

21.03.2017.

Heard Mr. K.C.Gautam, learned Counsel for the applicant and Brig N.Deka, learned Central Govt. Standing Counsel assisted by Col Anand, OIC, Legal Cell, Guwahati appearing for the respondents.

2. The applicant has filed this MA seeking condonation of delay of 352 days in filing the O.A. -03/2017.

3. Having heard the learned Counsel for the parties and upon consideration of the averments made in the application seeking condonation of delay, we are of the considered opinion that the applicant was prevented by sufficient cause in not filing the O.A. on time.

4. Hence, the delay of 352 days in filing the O.A. is condoned and the MA. -02/2017 stands allowed.

MEMBER (A)

MEMBER (J)

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