

Form No. 4
{See rule 11(1)}
ORDER SHEET

ARMED FORCES TRIBUNAL,
REGIONAL BENCH, GUWAHATI

OA -31/2022 with MA-18/22

Ex-Sep Jaynal Abdin

..... Applicant
AR Tahbildar
Legal practitioner for Applicant

-Versus-

UOI & Others.

..... Respondents
Deepanjali Bora
Legal practitioner for Respondents

Notes of the Registry	Orders of the Tribunal
	<p><u>CORAM</u></p> <p>Hon'ble Mr. Justice Umesh Chandra Srivastava, Member(J) Hon'ble Air Mshl Balakrishnan Suresh, Member (A)</p> <p><u>ORDER</u></p> <p><u>03.04.2023</u></p> <p>Heard Shri A.R. Tahbildar, Ld. Counsel for the applicant and Ms. Deepanjali Bora, Ld. Counsel for the respondents.</p> <p><u>M.A. No. 18 of 2022</u></p> <p>This application has been filed for condoning delay of 01 year, 01 month and 26 days in filing of Original Application for the grant of disability pension to the applicant.</p> <p>It is submitted by the Ld. Counsel for the applicant that delay in filing the Original Application is not deliberate. It is further submitted that limitation is not applicable in pensionary matters.</p> <p>Ld. Counsel for the respondents has vehemently opposed the prayer on the premise that delay has not been properly and satisfactorily explained.</p> <p>Upon hearing submissions of Ld. Counsel of both sides and keeping in view that pensionary benefits cannot be denied on the ground of delay, delay, if any, in filing of Original Application is condoned. Delay condonation application stands disposed off.</p> <p><u>OA No. 31 of 2022</u></p> <p>Case needs adjudication. Admit.</p> <p>Ld. Counsel for the respondents seeks and is allowed four weeks time to file Counter Affidavit. Rejoinder, if any, may be filed within two weeks thereafter.</p> <p>List after six weeks</p> <p>(Air Mshl Balakrishnan Suresh) Member (A)</p> <p>(Justice Umesh Chandra Srivastava) Member (J)</p>