

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

Civil Appeal Nos _____ of 2022
(D No 31201 of 2022)

The Director, Army Group Insurance Fund

... Appellant(s)

Versus

**Service No 13984110N Ex Sep Bnandari Bhaskara Rao
& Ors**

... Respondent(s)

ORDER

- 1 Leave to appeal under Section 31(1) of the Armed Forces Tribunal Act 2007 is granted.
- 2 There is a delay of 1382 days in challenging the order dated 17 September 2018 and 1238 days in challenging the final order dated 8 February 2019. In absence of a satisfactory explanation, we decline to condone the delay.
- 3 The appeals are accordingly dismissed only on the ground of delay with a clarification that the question of law is kept open to be decided in an appropriate case .

.....J.
[Dr Dhananjaya Y Chandrachud]

.....J.
[Hima Kohli]

**New Delhi;
October 31, 2022**

ITEM NO.18

COURT NO.2

SECTION XVII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CIVIL APPEAL Diary No(s). 31201/2022

(Arising out of impugned final judgment and order dated 17-09-2018 in OA No. 172/2018 08-02-2019 in OA No. 172/2018 16-06-2022 in MA No. 28/2020 16-06-2022 in MA No. 29/2020 16-06-2022 in MA No. 113/2019 16-06-2022 in MA No. 114/2019 16-06-2022 in MA No. 115/2019 passed by the Armed Forces Tribunal, Regional Bench Chennai, Circuit Bench At Hyderabad)

THE DIRECTOR, ARMY GROUP INSURANCE FUND

Petitioner(s)

VERSUS

SERVICE NO. 13984110N EX. SEP. BHANDARI BHASKARA RAO &
ORS.Respondent(s)

(IA No.154440/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.154439/2022-STAY APPLICATION and IA No.154438/2022-CONDONATION OF DELAY IN FILING APPEAL and IA No.154437/2022-LEAVE TO APPEAL U/S 31(1) OF THE ARMED FORCES TRIBUNAL ACT, 2007)

Date : 31-10-2022 This petition was called on for hearing today.

CORAM : HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s) Mr. R. Balasubramanian, Sr. Adv.
Mr. Sachin Sharma, Adv.
Mr. Anil Kumar Gulati, Adv.
Mr. Sqatyavrat Sharma, Adv.
Ms. Nur Tandon, Adv.
Mr. Sachin Sharma, AOR

For Respondent(s) Mr. Ujjwal A. Rana, Advocate
Mr. Himanshu Mehta, Adv.
M/s. Gagrat & Co., AOR

UPON hearing the counsel the Court made the following
O R D E R

- 1 Leave to appeal under Section 31(1) of the Armed Forces Tribunal Act 2007 is granted.

- 2 There is a delay of 1382 days in challenging the order dated 17 September 2018 and 1238 days in challenging the final order dated 8 February 2019. In absence of a satisfactory explanation, we decline to condone the delay.
- 3 The appeals are accordingly dismissed only on the ground of delay with a clarification that the question of law is kept open to be decided in an appropriate case .

(GULSHAN KUMAR ARORA)
AR-CUM-PS

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR

(Signed order is placed on the file)