

**IN THE SUPREME COURT OF INDIA**  
**CIVIL APPELLATE JURISDICTION**  
**CIVIL APPEAL D. NO. 25510 OF 2018**

**NO. 13979745 H EX-NAIK (TS)**  
**MAHENDRA KUMAR TIWARI**

**APPELLANT(S)**

**VERSUS**

**UNION OF INDIA & ORS.**

**RESPONDENT(S)**

**O R D E R**

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

Heard learned counsel for the appellant.

The appeals are dismissed both on the ground of delay as well as on merits.

Pending applications, if any, stand disposed of.

.....J.  
(A.K. SIKRI)

.....J.  
(ASHOK BHUSHAN)

**NEW DELHI,**  
**SEPTEMBER 7, 2018**

ITEM NO.7

COURT NO.5

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). 25510/2018

(Arising out of impugned final judgment and order dated 15-12-2015 in MA No. 285/2015 11-04-2016 in RA No. 13/2016 passed by the Armed Forces Tribunal)

NO. 13979745 H) EX NAIK (TS) MAHENDRA KUMAR TIWARI Appellant(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No.121236/2018-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.121230/2018-CONDONATION OF DELAY IN FILING APPEAL and IA No.121233/2018-CONDONATION OF DELAY IN REFILEING and IA No.121229/2018-LEAVE TO APPEAL U/S 31(1) OF THE ARMED FORCES TRIBUNAL ACT, 2007)

Date : 07-09-2018 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. SIKRI  
HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s) Mr. Dushyant Parashar, AOR

For Respondent(s)

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

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

Heard learned counsel for the appellant.

The appeals are dismissed both on the ground of delay as well as on merits.

Pending applications, if any, stand disposed of.

(SUSHIL KUMAR RAKHEJA)  
AR-CUM-PS

(SUMAN JAIN)  
BRANCH OFFICER

(Signed order is placed on the file.)

