



**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

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CWP-25929-2021

Date of Decision : 09.02.2026

**Sumer Singh (since deceased) through LRs****....Petitioners****Versus****Union of India and others****....Respondents**

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI  
HON'BLE MR. JUSTICE VIKAS SURI**

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**Present:** Mr. Sandeep Bansal, Advocate for the petitioners.

Mr. Rohit Verma, Senior Panel Counsel  
for respondents – UOI.

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**Harsimran Singh Sethi, J. (Oral)**

1. In the present petition, the challenge is to the impugned order dated 31.03.2021 (Annexure P-1) passed by respondent No.5 – Armed Forces Tribunal, Regional Bench, Chandigarh (hereinafter referred to as ‘the Tribunal), by which, the application seeking restoration of the Original Application was dismissed being barred by limitation owing to the delay of 3304 days.

2. The learned counsel for the petitioners submits that the counsel who was engaged, has unfortunately died on 06.01.2011 but, he was not having any information about the same, which has caused the delay.

3. The learned counsel for the respondents – UOI disputes the same and submits that once, even in the application, it has been mentioned by the petitioner himself that after the counsel expired in the year 2011, he had approached him and came to know about his death, even thereafter no application for restoration was filed for a period of six years, which clearly

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shows that the filing of the same subsequently is barred as no explanation for the delay for a period of six years from 2013 to 2019 has been put forward and in the said circumstances, the order passed by the Tribunal is perfectly valid and legal.

4. We have heard the learned counsel for the parties and have gone through the record with their able assistance.

5. Once, it is a conceded fact that starting from 2013 till the filing of the application for restoration no satisfactory explanation has come on record, the Tribunal was perfectly within its jurisdiction to deny the relief claimed in the said application. The petitioner did not take any action for getting the original application restored for a period of six years despite coming to know that his counsel has already expired and the case has already been dismissed for non-prosecution. That being so, the order dated 31.03.2021 (Annexure P-1) passed by the Tribunal cannot be treated as perverse.

6. Keeping in view the peculiar facts and circumstances of the present case, no ground is made out for any interference by this Court in the facts and circumstances of the present case.

7. Accordingly, the writ petition is dismissed.

8. Pending application(s), if any, stands disposed of.

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

**(VIKAS SURI)**  
**JUDGE**

**February 09, 2026**  
*Varinder*

Whether speaking/reasoned : Yes  
Whether reportable : No