

COURT No.2, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

24.

MA 641/2020 in OA 897/2017

In the matter of :

Cdr Prabir Singha (Retd.)

... Applicant

Versus

Union of India & Ors.

... Respondents

For Applicant : Mr. Shakti Chand Jaidwal, Advocate

For Respondents : Mr. V. Pattabhi Ram, Advocate

CORAM :

HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)

HON'BLE AIR MARSHAL B.B.P. SINHA, MEMBER (A)

O R D E R
19.03.2020

Vide this application, the applicant seeks modification of the order dated 24.02.2020 on the ground that on that date, the Tribunal had passed an order directing the respondents to conduct Release Medical Board of the applicant in respect of the disability 'Primary Hypertension'. However, the applicant is not suffering from this disability, rather the disabilities are (i) Coronary Artery Disease CSA-TMT+, DVD, PTCA TO LAD/RCA, ICD No. 125.9 and (ii) Sudden Sensorineural Hearing Loss (Right) ICD No. H 90.3 RT'. It is submitted that the order may be modified to that extent.

Counsel for the respondents submits that he has no objection to the modification of the order because as per the Medical Board proceedings at Page 47 of the OA also, these two disabilities are mentioned. He further states that in the order

dated 24.02.2020, instead of marking his presence, name of Mr. K.K. Tyagi, Advocate has been marked for the respondents. As such, the order may be modified to that extent also.

In view of the above, the order dated 24.02.2020 is modified to the extent as mentioned below :

- (i) The respondents are directed to conduct Release Medical Board of the applicant after re-employment in respect of the disabilities (i) Coronary Artery Disease CSA-TMT+, DVD, PTCA TO LAD/RCA, ICD No. 125.9 and (ii) Sudden Sensorineural Hearing Loss (Right) ICD No. H 90.3 RT' (instead of Primary Hypertension).
- (ii) In the appearance column, name of Mr. V. Pattabhi Ram, Advocate be read as counsel for the respondents in place of Mr. K.K. Tyagi, Advocate.

This order shall form part of the main order dated 24.02.2020.

M.A. No. 641 of 2020 stands disposed of in the above terms.

Copy of this order be given '**Dasti**' to counsel for the parties.

[JUSTICE SUNITA GUPTA]
MEMBER (J)

[AIR MARSHAL B.B.P. SINHA]
MEMBER (A)

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