

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

52.

OA 1918/2019 with MA 1421/2023 & 2802/2019

Ex Sub Narendra Bahadur Chhetri ..... Applicant  
VERSUS  
Union of India and Ors. .... Respondents

For Applicant : Mr Praveen Kumar, proxy for Mr. VS  
Kadian, Advocate  
For Respondents : Mr. Satya Ranjan Swain, Advocate

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)  
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

ORDER  
21.09.2023

On behalf of the respondents, a copy of letter dated 04.09.2023 has been submitted requesting the competent authority to accord sanction for holding first appeal medical board against rejection of disability pension at the earliest in relation to disability being attributable to military service. On behalf of the respondents, it has thus been submitted that the first appeal filed by the applicant is still pending.

2. Qua directions dated 25.05.2023 whereby 10 days' time was granted to the applicant to supply documents as detailed in para 2 responded to in Annexure R-8 to the counter affidavit of the respondents, the learned counsel for the applicant submits that the said documents as sought by the respondents have been supplied to the respondents and have been received by the

respondents on 12.07.2023 and a copy of the receipted letter dated 11.07.2023 on behalf of the applicant to that effect is taken on record. Taking into account the factum that vide order dated 31.08.2023, 15 days' more time was granted to the respondents for disposal of the said appeal which has not been disposed of till date by the respondents, we consider it appropriate and essential to take up the OA for consideration.

3. Heard.

4. The original RMB proceedings have been produced by the respondents which are taken on record till pronouncement of the order.

5. Order reserved.

**(JUSTICE ANU MALHOTRA)  
MEMBER (J)**

**(REAR ADMIRAL DHIREN VIG)  
MEMBER (A)**

CHANANA