

**COURT No.3, ARMED FORCES TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

**35.  
OA 805/2018**

**Ex Rfn Sikandar  
Versus  
Union of India & Ors.**

**... Applicant  
... Respondents**

**For Applicant : Mr. J P Sharma, Advocate  
For Respondents : Mr. Ashok Chaitanya, Advocate**

**CORAM:  
HON'BLE MS. JUSTICE SUNITA GUPTA, MEMBER (J)  
HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER  
15.05.2019**

By virtue of this OA, applicant claims two reliefs:

- (i) Benefit of broad-banding of disability element of pension form 20% to 50% and
- (ii) Reassessment Medical Board of the applicant at Base Hospital, New Delhi.

2. So far as the benefit of broad-banding of disability element of pension form 20% to 50% is concerned, learned counsel for the respondents has no objection, which can be granted for three years preceding to filing of the present OA. But it is pointed out that in case this relief is granted at this stage, there may be complications as the applicant is also seeking reassessment medical board. It is stated that letter was sent way back on 08.10.2018 to the applicant to move an application to the office to conduct his Resurvey Medical Board but the applicant did not respond to the letter.

3. Learned counsel for the applicant states that no such letter was received by the applicant. However, a copy of the said letter has been handed over to the counsel for the applicant.
4. Let appropriate application be moved within one week, thereafter, the matter be processed by the respondents for carrying out Resurvey Medical Board of the applicant within one month thereafter, which will include getting sanction from the competent authority. Keeping in view, the fact that as stated by counsel for the applicant, earlier letter dated 08.10.2018 was not received by him, further communications be sent to the counsel for the applicant so that he will inform the applicant and no further delay is carried out.
5. As regards other reliefs, learned counsel for the respondents seeks time to file counter affidavit.
6. Same be filed within four weeks with a copy to the applicant.
7. Relist on **13.09.2019**.
8. Order "**DASTI**".

**(JUSTICE SUNITA GUPTA)**  
**MEMBER (J)**

**(LT. GEN. PHILIP CAMPOSE)**  
**MEMBER (A)**

Sp