

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

30.

OA 1614/2019

Ex Nk (TS) Ghodke Bharat Atmaram Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Rajat Proxy counsel for
Mr. Ajit Kakkar, Advocate
For Respondents : Mr. Avdhesh Kumar Singh, Advocate

CORAM

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

ORDER
04.10.2023

During the course of submissions, on behalf of the applicant, reliance is placed on the document that has been filed as Annexure R1 to the counter affidavit of the respondents placed at page 58 which reads to the effect:-

“NO.13890279k Sep/Dvr (MT) Ghodke Bharat Atma Ram was sustained injury during casual leave on 11 June 1998. He was admitted at MH Kirkee, Pune on 11 June 1998 and diagnosis as a case of Paraplegia & FRACTURE LV.I . The Individual is 100% disable and wheel chair bound. Hence, recommended for disability Pension as per Govt Order.”

wherein there is a recommendation for the grant of the disability pension as per Government Order. The said document dated 01.03.1999 i.e. the government order referred therein be produced by the respondents by the next date of hearing.

2. Furthermore in view of Annexure R-12 of the order which indicates vide Para 4 at Page 72 thereof to the effect:-

“Has any court of Inquiry been held or will be held? (If so, indicate the date and the place of enquiry.)

Yes, C of I held on 21 Dec 98 at station, Wksp EME, Calcutta,” ~

indicates that a Court of Inquiry (CoI) was held on 21.12.1998. The proceedings of the said CoI be produced by the respondents in original within a period of four weeks with a copy being placed on record and a copy thereof being supplied to the applicant through counsel

3. The matter be re-notified for final hearing on **08.11.2023**.

4. Copy of this Order be given ***DASTI***, as prayed.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(REAR ADMIRAL DHIREN VIG)
MEMBER (A)

/NMK