

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

9.

**OA 1476/2018**

**Col Pradeep Dixit (Retd)**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant**

: Mr. Praveen Kumar, Proxy for  
Mr. Aditya Singh Paur, Advocate

**For Respondents**

: Major BVS Chaudhary, OIC, Legal Cell

**CORAM:**

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

**HON'BLE LT. GEN. SANJIV CHACHRA, MEMBER (A)**

**ORDER  
06.09.2018**

By way of present OA, the applicant seeks directions to the respondents to get the applicant re-examined by the Competent Medical Authority for the post discharge claim for disability pension. At the outset, learned counsel for the respondents object to the maintainability of the OA on the ground that as per the medical document annexed by the applicant, he had certain eye problem in the year 2005 and was discharged in the year 2010. Thereafter he was re-employed and retired in the year 2012.

2. It is stated that while getting second appointment, the applicant must have suppressed the factum of his earlier ailment and therefore, now he is not entitled for post discharge claim for disability pension. Main counsel for the applicant is not available. As such, on request of proxy counsel, the matter is adjourned.

3. List the matter on **03.01.2019**.

4. Respondents are also directed to bring the medical record of the applicant on the next date of hearing.

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

**[LT. GEN. SANJIV CHACHRA]**  
**MEMBER (A)**

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