

COURT No. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
(Through Virtual Hearing)

18.

OA 897/2017 with MA 501/2022

Cdr Prabir Singha (Retd.)

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant : Mr. Shakti Chand Jaidwal, Advocate

For Respondents : Mr. V.Pattabhiram, Advocate

CORAM:

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

HON'BLE LT. GEN. BOBBY CHERIAN MATHEWS, MEMBER (A)

O R D E R

10.05.2022

MA 501/2022

The Learned Counsel for the Applicant (Respondent in the main OA) submits that there is no provision for conducting Release Medical Board in respect of re-employed Officer as per Para 19 of NO 07/14 which specifies that officers who retire from service on completion of age limit of Medical Category S1A1 and are re-employed and found to be in LMC during such employment are not eligible for grant of Disability Pension unless where re-employment is terminated on account of the disability.

2. We find that the reasons spelt out by the Applicant for not conducting the Release Medical Board on specious grounds is tantamount to blatant disregard to the Order of this Tribunal passed on 24.2.2020 with the consent of both the concerned parties.

3. We reiterate that a Special/Review/Resurvey Medical Board be convened at Base Hospital, Guwahati to assess the medical condition of the Applicant within three months from the date of this order with adequate notice to the Applicant.

4. The Special/Review/Resurvey Medical Board will give its opinion on the present medical condition of the Applicant and assess the degree of disability and the probable duration of degree of disablement. The Respondents are directed to place the said Special/Review/Resurvey Medical Board proceedings before this Tribunal within one month thereafter.

5. Relist on **27.09.2022.**

6. Copy of the Order be issued **Dasti.**

(JUSTICE SUNITA GUPTA)
MEMBER (J)

(LT. GEN. BOBBY CHERIAN MATHEWS)
MEMBER (A)

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