

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

**1.  
OA 615/2015**

**Smt. Sutapa Das Widow of  
Late Lt. Col (Retd.) S R Das  
Versus  
Union of India & Ors.**

**... Applicant**

**...Respondents**

**For Applicant : Mr. S M Dalal , Advocate  
For Respondents : Mr. Anil Gautam , Advocate**

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

**ORDER  
04.04.2019**

Order partly allowing the OA pronounced, signed and dated.

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

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

Sp

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

**2.**

**MA 487/2018 & MA 386/2019 in OA 230/2014**

**Ex Gnr (Tailor) Suresh Chand ... Applicant  
Versus  
Union of India & Ors. ...Respondents**

**For Applicant : Mr. S S Pandey , Advocate  
For Respondents : Mr. Anil Gautam, Advocate**

**CORAM:**

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

**O R D E R  
04.04.2019**

Order dismissing the MAs pronounced, signed and dated.

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

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

Sp

**COURT No.3, ARMED FORCES TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**3.**

**OA 780/2018 with MA 652/2018**

**Ex Hav Gopal Nandan Mishra**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. Praveen Kumar, proxy counsel for  
Mr. V S Kadian , 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**  
**04.04.2019**

Documents have not been filed so far by the applicant.  
Request for adjournment is made by proxy counsel as the main  
counsel is not available today.

2. It is made clear that if the earlier orders are not complied with  
within six weeks, adverse inference will be drawn.

3. Relist on **09.10.2019**.

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

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

Sp



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

5.

**OA 2101/2018 with MA 2312/2018**

**Smt Neema Parihar Wd/o  
Ex Sep Rajendra Singh  
Versus**

**... Applicant**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. U S Maurya, Advocate  
**For Respondents** : Dr. V S Mahndiyan , Advocate

**CORAM:**

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

**ORDER  
04.04.2019**

Heard learned counsel for the applicant.

2. Learned counsel for the respondents submits that probably the issue involved in the present OA has been referred to the Larger Bench and seeks time to verify the same.
3. Relist on **06.09.2019**.

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

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

**COURT No.3, ARMED FORCES TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**6.**

**OA 2102/2018**

**Maj S Selvarani (Retd.)**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. I S Yadav, Advocate

**For Respondents** : Mr. Neeraj, Sr. CGSC

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**

**04.04.2019**

Learned Sr. CGSC has handed over a copy of the letter dated 02.04.2019 stating that the 2nd appeal of the applicant has not been accepted.

2. Heard. Admit.

3. Issue notice. Notice is accepted by learned counsel for the respondents, who seeks time to file reply.

4. Let reply be filed within four weeks with advance copy to the applicant.

5. List before the Court of Principal Registrar on **23.05.2019** for completion of pleadings.

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

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

Sp

**COURT No.3, ARMED FORCES TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**7.**

**OA 473/2019**

**Cdr M K Saini (Retd.)**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. Shakti Chand Jaidwal , Advocate

**For Respondents** : Mr. S R Swain, Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**

**04.04.2019**

Heard. Admit.

2. Issue notice. Notice is accepted by learned counsel for the respondents, who seeks time to file reply.

3. Let reply be filed within four weeks with advance copy to the applicant.

4. List before the Court of Principal Registrar on **23.05.2019** for completion of pleadings.

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

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

Sp

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

**8.  
OA 480/2019**

**Ex JWO Jagannath Datta ... Applicant  
Versus ... Respondents  
Union of India & Ors.**

**For Applicant : Mr. Ajit Kakkar, Advocate  
For Respondents : Wg. Cdr B Biswas, OIC, Legal Cell, Air Force**

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

**ORDER  
04.04.2019**

Learned counsel for the applicant submits that the present case is covered by the decision of this Tribunal in OA No.12/2019 in the matter of Ex JWO P Shunmuganathan Vs Union of India & Ors decided on 01.01.2019.

2. This fact is not disputed by the respondents and it is submitted that subject to verification, appropriate order may be passed.

3. Vide separate order, OA stands disposed off.

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

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





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

10.

**OA 486/2019 with MA1058/2019**

**Ex Hav Ram Lal**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. I S Yadav , Advocate

**For Respondents** : Mr. Shyam Narayan, Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**O R D E R**

**04.04.2019**

Heard. Admit.

2. Issue notice in OA as well as MA. Notice is accepted by learned counsel for the respondents, who seeks time to file reply.

3. Let reply be filed within four weeks with advance copy to the applicant.

4. List before the Court of Principal Registrar on **23.05.2019** for completion of pleadings.

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

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

Sp

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

11.

**OA 487/2019 with MA 1059/2019**

**Ex Sep Jagbir Singh  
Versus  
Union of India & Ors.**

**... Applicant**

**...Respondents**

**For Applicant** : Mr. Praveen Kumar, proxy counsel for  
Mr. J P Sharma , Advocate

**For Respondents** : Mr. D K Sabat, Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**  
**04.04.2019**

Heard. Admit.

2. Issue notice in OA as well as MA. Notice is accepted by learned counsel for the respondents, who seeks time to file reply.
3. Let reply be filed within four weeks with advance copy to the applicant.
4. List before the Court of Principal Registrar on **23.05.2019** for completion of pleadings.

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

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

Sp

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

12.

**OA 488/2019 with MA 1060/2019**

**Smt Rama Bhandari W/o  
Late Lt. Col G S Bhandari**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. Anil Srivastava, Advocate

**For Respondents** : Mr. K K Tyagi, Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**

**04.04.2019**

Heard. Admit.

2. Issue notice in OA as well as MA. Notice is accepted by learned counsel for the respondents, who seeks time to file reply.

3. Let reply be filed within four weeks with advance copy to the applicant.

4. List before the Court of Principal Registrar on **23.05.2019** for completion of pleadings.

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

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

Sp

**COURT No.3, ARMED FORCES TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**13.**

**OA 489/2019 with MA 1061/2019**

**Gp Capt (TS) RSR Sharma (Retd.)**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant : Mr. Ajai Bhalla , Advocate**

**For Respondents : Mr. Y P Singh, Advocate**

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**

**04.04.2019**

Heard. Admit.

2. Issue notice in OA as well as MA. Notice is accepted by learned counsel for the respondents, who seeks time to file reply.
3. Let reply be filed within four weeks with advance copy to the applicant.
4. List before the Court of Principal Registrar on **23.05.2019** for completion of pleadings.

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

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

Sp

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

14.

**OA 490/2019 with MA 1062/2019**

**Ex Sgt Upendra Kumar Bharti**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. Praveen Kumar , Advocate

**For Respondents** : Mr. Rajeev Kumar , Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**

**04.04.2019**

Heard. Admit.

2. Issue notice in OA as well as MA. Notice is accepted by learned counsel for the respondents, who seeks time to file reply.
3. Let reply be filed within four weeks with advance copy to the applicant.
4. List before the Court of Principal Registrar on **23.05.2019** for completion of pleadings.

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

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

Sp

**COURT No.3, ARMED FORCES TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**15.**

**OA 491/2019 with MA 1063/2019**

**Ex L/Nk Adhip Narayan Guha**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Ms. Archana Ramesh , Advocate

**For Respondents** : Mr. Shyam Narayan , Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**

**04.04.2019**

Heard. Admit.

2. Issue notice in OA as well as MA. Notice is accepted by learned counsel for the respondents, who seeks time to file reply.
3. Let reply be filed within four weeks with advance copy to the applicant.
4. List before the Court of Principal Registrar on **23.05.2019** for completion of pleadings.

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

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

Sp

**COURT No.3, ARMED FORCES TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**16.**

**OA 492/2019 with MA 1064/2019**

**Sep Sumer Singh (Retd.)**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Ms. Archana Ramesh, Advocate

**For Respondents** : Mr. S D Windlesh , Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**O R D E R**

**04.04.2019**

Heard. Admit.

2. Issue notice in OA as well as MA. Notice is accepted by learned counsel for the respondents, who seeks time to file reply.
3. Let reply be filed within four weeks with advance copy to the applicant.
4. List before the Court of Principal Registrar on **23.05.2019** for completion of pleadings.

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

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

Sp



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

17.

**MA 1051/2019 in OA 740/2018**

**Ex POWTR Mukesh Kumar**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. Praveen Kumar, proxy counsel for  
Mr. J P Sharma , Advocate

**For Respondents** : Mr. Arvind Patel , Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**

**04.04.2019**

Vide this application, applicant seeks implementation of the Tribunal order dated 17.04.2018.

2. Learned counsel for the respondents has handed over a letter of sanction of competent authority for implementation of the Tribunal order and submits that the necessary PPO will be issued in due course.

3. Same be issued within six weeks failing which, the applicant will be at liberty to approach the Tribunal.

4. MA stands disposed off.

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

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

Sp

**COURT No.3, ARMED FORCES TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**18.**

**MA 1053/2019 in OA 218/2016**

**Ex Swr Mahavir Singh**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. Praveen Kumar, proxy counsel for  
Mr. J P Sharma, Advocate

**For Respondents** : Ms. Jyotsana Kaushik , Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**  
**04.04.2019**

Vide this application, the applicant seeks implementation of Tribunal order dated 16.11.2018.

2. Learned counsel for the respondents seeks time to implement the Tribunal order.

3. Same be implemented within six weeks'.

4. Relist on **02.09.2019**.

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

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

Sp

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

19.

**MA 1070/2019 in OA 2043/2017**

**Lt. Col Raj Kumar Monga (Retd.)**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. Praveen Kumar, proxy counsel for  
Mr. J P Sharma, Advocate

**For Respondents** : Mr. Rajesh Kumar Das, Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**

**04.04.2019**

Vide this application, the applicant seeks condonation of delay in filing the OA.

2. Issue notice on the application to the respondents, which is accepted by learned counsel for the respondents, who seeks time to file reply.

3. Same be filed within four weeks with copy to the applicant.

4. Relist on **02.09.2019**.

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

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

Sp

**COURT No.3, ARMED FORCES TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**20.**

**TA 439/2009 Writ Petition No.1069/1997**

**Lt Cdr Prahlad Kr Varshney**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. Ajai Bhalla , Advocate

**For Respondents** : Ms. Rati Verma, proxy counsel for  
Mr. Harish V Shankar , Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**  
**04.04.2019**

Request for adjournment is made by proxy counsel on the ground that learned counsel for the respondents is not available today.

2. Learned counsel for the applicant also has no objection and submits that being a part heard matter listed before Court No.1, he has to go there.

3. List for hearing on **29 & 30.07.2019.**

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

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

Sp

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

21.

**OA 1080/2017 with MA 811/2017**

**Smt Kavita**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. Praveen Kumar, proxy counsel for  
Mr. V S Kadian, Advocate

**For Respondents** : Mr. Shyam Narayan , Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**

**04.04.2019**

Request for adjournment is made by proxy counsel on the ground that the main counsel for the applicant is busy in Hon'ble High Court.

2. Adjournment is not opposed by the respondents.
3. The matter is released from part heard.
4. List for hearing on **17.09.2019**.

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

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

Sp

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

22.

**OA 925/2018**

**Ex Sep Ashok Kumar Gurjar**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. Praveen Kumar, proxy counsel for  
Mr. V S Kadian, Advocate

**For Respondents** : Mr. Rajesh Kumar Das , Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**

**04.04.2019**

Counter affidavit has not been filed by the respondents so far. However, it is stated that the same will be filed in the Registry during the course of the day.

2. Advance copy be given to the applicant. Rejoinder, if any, be filed within four weeks'.

3. Relist for hearing on **17.09.2019**.

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

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

Sp

**COURT No.3, ARMED FORCES TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**23.**

**OA 926/2018 with MA 797/2018**

**Ex Nk Dayal Singh**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. Praveen Kumar, proxy counsel for  
Mr. V S Kadian , Advocate

**For Respondents** : Mr. Avdresh Kumar Singh, Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**  
**04.04.2019**

Counter affidavit has not been filed and learned counsel for the respondents seeks two weeks time to file the same on the ground that the comments have been received by him recently.

2. It is made clear that in case the counter affidavit is not filed within two weeks, right to file the same will stand closed.

3. Rejoinder, if any, be filed within four weeks, thereafter.

4. Relist on **17.09.2019**.

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

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

Sp





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

**24.  
OA 791/2015**

<b>Ex Hav Rajesh Kumar</b>	<b>... Applicant</b>
<b>Versus</b>	
<b>Union of India &amp; Ors.</b>	<b>...Respondents</b>

**For Applicant** : Mr. A K Trivedi , 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**  
**04.04.2019**

Heard learned counsel for the parties.

2. Having been found medically and physically fit, the applicant, who was enrolled in Indian Air Army on 10.03.1987, was discharged from service on 01.04.2011 in low medical category "TRAUMATIC AMPUTAITON (RT) INDEX FINGER (OPTD)" and the disability was assessed at 11-14% but no disability pension was granted to him treating it neither attributable to nor aggravated by military service. The applicant preferred first and second appeals which were rejected by the respondents. It is submitted that respondents vide order dated 01.10.2013 informed the record office that the competent authority has opined to bring the applicant before 2<sup>nd</sup> Appeal Medical Board. On 23.01.2014, the Resurvey Medical Board assessed disability @ 20% for life.
3. Learned counsel for the applicant contended that the instant matter is squarely covered by a catena of decisions of the Hon'ble

Supreme Court including ***Dharamvir Singh Vs. Union of India and Ors.*** (2013) 7 SCC 316, ***Union of India and Ors. Vs. Rajvir Singh*** (2015) 12 SCC 264 and ***Union of India and Ors Vs. Angad Singh Titaria,*** (2015) 12 SCC 257. Further, the claim of the applicant is also supported by relevant rules.

4. Per contra, learned counsel for the respondents contended that the applicant is not entitled to the relief claimed since the Release Medical Board, being an Expert Body, found the disability “Neither Attributable to Nor Aggravated by Military Service”.

5. Having heard learned counsel on both sides, we are of the view that the case on hand is squarely covered by the decisions referred to herein above. In *Dharamvir Singh* (supra) the Hon’ble Supreme Court held that any disability sustained during the course of Military Service will be attributed to service conditions unless the disability was such that the disease could not have been detected on medical examination before a person is selected for Defence Service and furthermore before arriving at a conclusion the Release Medical Board should have assigned reasons, in writing, that the disability was not due to Military Service. There is no dispute with regard to the fact that when the applicant entered into service, he was not suffering from any disease and that the disability in question was detected/sustained only during the course of his Military Service.

6. The matter for implementation of orders of the Hon’ble Supreme Court in the matter of *Dharamvir Singh* (supra) in respect of Armed Forces Personnel in NANA cases was taken up with the

Department of Expenditure, Ministry of Finance for consideration. Accordingly, Ministry of Defence by their letter dated 29<sup>th</sup> June, 2017 sent to the Chief of Staff of Army, Navy and Air Force for implementation of the orders of Hon'ble Supreme Court, has laid down the following essential parameters for allowing disability pension:

**I. The question whether a disability is attributable or aggravated by military service is to be determined under "Entitlement Rules for Casualty Pensionary Awards 1982."**

**II. A member is to be presumed in sound physical and mental condition upon entering service if there is no note or record at the time of entrance. In the event of his subsequently being discharged from service on medical grounds any deterioration in his health is to be presumed due to service.**

**III. If no note of any disability or disease was made at the time of individual's acceptance for military service, a disease which has laid to an individual's discharge or death will be deemed to have arisen in the service.**

**IV. If medical opinion holds that the disease could not have been detected on medical examination prior to the acceptance for service and that disease will not be deemed to have arisen during service, the medical board is required to state the reasons.**

7. In the light of the preceding paragraphs and essential parameters given aforesaid, we hereby set aside the impugned order

rejecting the claim of the applicant for disability pension and hold that he is entitled to disability element of pension from the date of his retirement at the rate of 20% for life, which is to be broad banded to fifty per cent in the light of the judgment of the Hon'ble Supreme Court in ***Union of India and Ors. Vs. Ram Avtar*** decided on 10<sup>th</sup> December, 2014.

8. The respondents are directed to release the arrears within a period of six months from the date of receipt of a copy of this order, failing which the arrears shall carry interest at the rate of eight per cent per annum.

9. Since the applicant has approached this Tribunal after a considerable delay, hence the arrears are restricted to three years prior to the filing of the application i.e. **06.10.2015**.

10. The O.A. stands disposed of in the above terms with no order as to costs.

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

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

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

25.

OA 1035/2015 with MA 999/2015

**Ex Sep Vinod Singh**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. Praveen Kumar, proxy counsel for  
Mr. V S Kadian , Advocate

**For Respondents** : Mr. Prabodh Kumar, Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**

**04.04.2019**

Request for adjournment is made by proxy counsel on the ground that learned counsel for the applicant is busy in Hon'ble High Court.

2. The adjournment is not opposed by the respondents.

3. Relist on **06.09.2019**.

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

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

Sp

**COURT No.3, ARMED FORCES TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**26.**

**OA 507/2016**

**Maj Saurabh Moond (Retd.)**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant : Mr. Manu Chaturvedi , Advocate**

**For Respondents : Mr. Arvind Patel , Advocate**

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**

**04.04.2019**

Arguments heard. Order reserved.

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

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

Sp

**COURT No.3, ARMED FORCES TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**27.**

**OA 676/2016**

**Ex MER (U/T) Yogender Kumar**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. Praveen Kumar, proxy counsel for  
Mr. V S Kadian , Advocate

**For Respondents** : Mr. S D Windlesh , Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**  
**04.04.2019**

Request for adjournment is made by proxy counsel as the main counsel is reported to be busy in Hon'ble High Court.

2. Adjournment is not opposed by the respondents.
3. Relist on **11.09.2019**.

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

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

Sp

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

28.

**OA 1351/2016**

**Ex HFO Raj Deo Bhagat**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. Praveen Kumar , 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**

**04.04.2019**

Learned counsel for the applicant seeks time to address the arguments and to show that the disability suffered by the applicant is attributable to or aggravated by military service.

2. Relist on **12.09.2019**.

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

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

Sp



**COURT No.3, ARMED FORCES TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**29.**

**OA 1696/2016 with MA 642/2019**

**Ex Sgt Sanjeev Kumar Gupta**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. Praveen Kumar, proxy counsel for  
Mr. D K 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**  
**04.04.2019**

Learned proxy counsel submits that he has instructions on behalf of the main counsel to address the arguments. After a short argument, he requests for adjournment, which is not opposed by the respondents.

2. Relist on **12.09.2019**.

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

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

Sp

**COURT No.3, ARMED FORCES TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**30.**

**OA 173/2017**

**Ex JWO R K Yadav**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Ms. Mitali Tyagi, proxy counsel for  
Mr. A K Yadav , Advocate

**For Respondents** : Ms. Barkha Babbar , Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**  
**04.04.2019**

Request for adjournment is made on the ground that the main counsel for the applicant is not available today on personal grounds.

2. The adjournment is not opposed by the respondents.
3. Relist on **16.09.2019**.

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

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

Sp

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

**31.  
OA 225/2017**

**Brig P K Narula (Retd.)** ... Applicant  
**Versus**  
**Union of India & Ors.** ... Respondents

**For Applicant** : Mr. Praveen Kumar, proxy counsel for  
Mr. V S Kadian , Advocate  
**For Respondents** : Mr. Avdhesh Kumar Singh , Advocate

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

**ORDER**  
**04.04.2019**

Disposed off vide separate order. Sudha

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

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

Sp

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

32.

**OA 796/2017 with MA 639/2017**

**Ex Hav Ram Pravesh Singh**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. Praveen Kumar, proxy counsel for  
Mr. V S Kadian , Advocate

**For Respondents** : Dr. V S Mahndiyan , Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**

**04.04.2019**

Request for adjournment is made by proxy counsel on the ground that the main counsel is busy in Hon'ble High Court.

2. Adjournment is not opposed by the respondents.

3. Relists on **13.09.2019**.

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

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

Sp

**COURT No.3, ARMED FORCES TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**33.**

**OA 2058/2017**

**Ex Rect Krishna Bahadur Chand**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Ms. Mitali Tyagi, proxy counsel for  
Ms. Pallavi Awasthi, Advocate

**For Respondents** : Mr. Arvind Patel, Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**  
**04.04.2019**

Request for adjournment is made on the ground that the counsel for the applicant is in personal difficulty.

2. The adjournment is not opposed by the respondents.
3. Relist on **16.09.2019**.

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

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

Sp

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

34.

OA 2073/2017

Lt Col Yogendra Singh Tomar (Retd.)

... Applicant

Versus

Union of India & Ors.

...Respondents

For Applicant : Mr. Ajit Kakkar , Advocate

For Respondents : Mr. K K Tyagi , Advocate

CORAM:

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

HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)

ORDER

04.04.2019

Disposed off vide separate order. Sudha

(JUSTICE SUNITA GUPTA)  
MEMBER (J)

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

Sp

**COURT No.3, ARMED FORCES TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**35.**

**OA 229/2018 with MA 155/2018**

**Wg Cdr DPS Yadav (Retd.)**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. Praveen Kumar, Advocate

**For Respondents** : Mr. Arvind Patel , Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**

**04.04.2019**

Learned counsel for the respondents seeks time to bring  
Medical Record and Court of Inquiry Proceedings.

2. Same be brought on the next date of hearing.
3. List for hearing on **17.09.2019**.

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

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

Sp

**COURT No.3, ARMED FORCES TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**36.**

**OA 860/2018 with MA 1052/2019**

**Smt Mamta Yadav Wd/o**

**Late Gnr Amarjeet Singh**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant**

**: Mr. R K Tripathi, Advocate**

**For Respondents**

**: Mr. S D Windlesh for R 1-4,**

**Mr. S S Pandey (AC) for R-5, Advocates**

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**

**04.04.2019**

**MA 1052/2019:**

Vide this application, the applicant seeks to withdraw the present OA with liberty to approach the appropriate forum.

2. Pursuant to the directions given on the last date of hearing, applicant appeared in person and reiterates that she wants to withdraw this OA with liberty to approach to Civil Court and thereafter, in case of need she will approach this Tribunal.

3. Learned counsel for the respondents No.1-4 has no objection.

4. Mr. S S Pandey, Advocate who was appointed as Amicus Curie for respondent No.5 is also present and has no objection to the same.

5. As such, MA stands disposed off and the OA is dismissed as withdrawn. Mr. S S Pandey(AC), Advocate stands discharged.

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

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



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

37.

**OA 918/2018 with MA 784/2018 & 2228/2018**

**Ex Sep Hari Bandhu Sahu**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. Praveen Kumar, proxy counsel for  
Mr. V S Kadian, Advocate

**For Respondents** : Mr. Shyam Narayan, Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**  
**04.04.2019**

**MA 2228/2018:**

Vide this application, the respondents seek condonation of delay of 10 days in filing the counter affidavit.

2. In view of the facts and circumstances stated in the application, delay in filing the counter affidavit is condoned and the same is taken on record.

3. MA stands disposed off.

**OA 918/2018:**

Rejoinder, if any, be filed within four weeks with a copy to the respondents.

2. List for regular hearing as per **Seriatim**.

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

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

**COURT No.3, ARMED FORCES TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**38.**

**OA 1095/2018**

**Ex Sea I (U/W) Rishikesh Kumar Singh ... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant : Mr. Ajit Kakkar , Advocate**

**For Respondents : Mr. Shyam Narayan, Advocate**

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**

**04.04.2019**

Counter affidavit has been filed by the respondents.

2. Learned counsel for the applicant does not want to file rejoinder. Pleadings are complete.
3. List for regular hearing as per **Seriatim**.

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

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

Sp

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

**39.**

**OA 676/2015 with MA 723/2015**

**Naik Pritam Singh (Retd.)**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Ms. Archana Ramesh, Advocate

**For Respondents** : Mr. K K Tyagi , Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**

**04.04.2019**

Learned counsel for the applicant requests for adjournment as she could not bring the concerned file today.

2. Adjournment is not opposed by the respondents.
3. Relist on **06.09.2019**.

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

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

Sp

**COURT No.3, ARMED FORCES TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**40.**

**OA 760/2015 with MA 455/2016**

**Ex Rfn Brij Kishore**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. S S Pandey, 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**

**04.04.2019**

Arguments heard. Order reserved.

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

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

Sp

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

41.

**OA 673/2016 with MA 498/2016**

**Smt Neelam Malik**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant**

: Mr. Ajai Bhalla, Advocate

**For Respondents**

: Dr. V S Mahndiyar for R 1-4,

Mr. Anil Gautam for R 5-6, Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**O R D E R**

**04.04.2019**

Part arguments heard.

2. Learned counsel for the applicant has referred to Annexure A-9 as per index and additional affidavit. But the same has not been placed on record and even Annexure A-8 is also not placed on record and copies of the same have not been supplied to the respondents.

3. It is directed that learned counsel for the applicant will place on record Annexure A-8 and A-9 and also supply copies of the same to the respondents well in advance.

4. For hearing further arguments, relist on **17.05.2019**.

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

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

Sp

**COURT No.3, ARMED FORCES TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**42.**

**OA 708/2016**

**Smt Kamla Devi**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant : Mr. U S Maurya , Advocate**

**For Respondents : Mr. Prabodh Kumar, Advocate**

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**

**04.04.2019**

Arguments heard. Order reserved.

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

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

Sp

**COURT No.3, ARMED FORCES TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**43.**

**OA 1094/2016**

**Ex Gnr Brijender Singh Chauhan**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. Siya Ram, 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**

**04.04.2019**

Learned counsel for the respondents requests for adjournment for showings the difference between dismissal and removal and the effects thereof.

2. List for hearing on **12.09.2019**.

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

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

Sp

**COURT No.3, ARMED FORCES TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**44.**

**OA 1358/2016 with MA 2409/2018**

**MWO Tej Singh**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. Praveen Kumar , Advocate

**For Respondents** : Dr. V S Mahndiyar , Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**

**04.04.2019**

Learned counsel for the applicant submits that although on the last date of hearing, rejoinder has been filed but the same is under defects, which have been removed and the same will be filed with the Registry during the course of the day. A copy of the same has been supplied to the respondents.

**2. Relist on 17.09.2019.**

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

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

Sp



**COURT No.3, ARMED FORCES TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**45.**

**OA 1496/2016**

**Ex Nk Nand Kishore**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. Praveen Kumar, proxy counsel for  
Mr. V S Kadian, Advocate

**For Respondents** : Ms. Barkha Babbar , Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**  
**04.04.2019**

Request for adjournment is made by proxy counsel on the ground that the main counsel is busy in the Hon'ble High Court.

2. The adjournment is not opposed by the respondents.
3. Relist on **12.09.2019**.

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

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

Sp

**COURT No.3, ARMED FORCES TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**46.**

**OA 1526/2016**

**Ex Rect (OFC) Pilli Sivaiah**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. Ajit Kakkar, Advocate

**For Respondents** : Mr. S D Windlesh, Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**

**04.04.2019**

Learned counsel for the respondents submits that on 29.03.2019, he had moved application for placement on record a copy of Medical Board Proceedings. However, in the MA, no documents are available on record. Learned counsel for the respondents seeks time to check with the Registry and place the same on record.

2. Relist on **13.09.2019**.

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

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

Sp

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

47.

**OA 1185/2017 with MA 876/2017**

**Ex CFN Dharamvir Singh  
Versus  
Union of India & Ors.**

**... Applicant**

**...Respondents**

**For Applicant** : Mr. Praveen Kumar, proxy counsel for  
' Mr. V S Kadian, Advocate

**For Respondents** : Mr. Y P Singh, Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER  
04.04.2019**

Request for adjournment is made by proxy counsel on the ground that the main counsel is busy in Hon'ble High Court.

2. Adjournment is not opposed by the respondents.
3. Relists on **16.09.2019**.

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

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

Sp

**COURT No.3, ARMED FORCES TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**48.**

**OA 291/2018**

**Col Sanjay Rawat (Retd.)**

**... Applicant**

**Versus**

**Union of India & Ors.**

**...Respondents**

**For Applicant** : Mr. Rajendra Kumar, Advocate

**For Respondents** : Mr. J S Yadav, Advocate

**CORAM:**

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

**HON'BLE LT. GEN. PHILIP CAMPOSE, MEMBER (A)**

**ORDER**

**04.04.2019**

Learned counsel for the applicant submits that pursuant to the directions given on 10.09.2018, the applicant reported at Base Hospital, Delhi Cantt. However, on that day, he was told that the documents concerned have not been received and after taking his mobile number, he was sent back stating that he will be informed as and when documents are available with them. He further states that thereafter, a letter was received by the applicant in December 2018 to report to the hospital. When the applicant reported to the hospital, hospital authorities asked him to get admitted in the hospital but the applicant requested to be taken as out-patient. Thereafter he was sent back with a direction that the same will be decided in due course and now the concerned documents have been sent back to the Army Headquarter.

2. Counsel for the applicant submits that he has advised the applicant to get himself admitted in the hospital so that reassessment medical examination can be done.
3. Learned counsel for the respondents submits that a particular date be given and the relevant documents will be sent to the hospital before the date fixed.
4. As such, the applicant is directed to report to the Base Hospital, Delhi Cantt. between 13-17 May 2019 where his medical examination will be done.
5. Report be submitted on or before **17.09.2019**.
6. A copy of this order be given "**DASTI**".

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

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

Sp