

**COURT NO. 1, ARMED FORCES TRIBUNAL**  
**PRINCIPAL BENCH, NEW DELHI**

**81.**

**OA 1865/2021**

**In the matter of :**

**Hav Devi Dayal (Retd)**

**... Applicant**

**Versus**

**Union of India & Ors.**

**... Respondents**

**For Applicant : Shri Manoj Kr Gupta, Advocate**

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

**CORAM :**

**HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON**  
**HON'BLE LT. GEN. C P MOHANTY, MEMBER (A)**

**O R D E R**  
**11.07.2023**

Apart from the fact that nowhere in the application the applicant has disclosed that he is TA Hav, the case was proceeded under the assumption that the applicant is a Regular Hav. Its only after the counter affidavit has been filed that the position has been cleared that the applicant is a TA Hav.

That apart, respondents have indicated the policy applicable to a TA Hav to resist the claim of the applicant. Learned counsel for the applicant relies on certain judgments and policy letters to revert the aforesaid contention but the same are not available on record and even a rejoinder to the counter affidavit has not been filed In case the applicant

wants to rely upon any judgment or policy, he is required to bring the same on record. He is granted four weeks' time to do so.

3. Put up again **29<sup>th</sup> August, 2023.**

**[RAJENDRA MENON]  
CHAIRPERSON**

**[C P MOHANTY]  
MEMBER (A)**

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