

**COURT No. 2, ARMED FORCES TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

29.

OA 274/2019 with MA 733/2019

Ex. PO (U/CI) Birla Ram Lamba

.....Applicant

Versus

Union of India & Ors.

.....Respondents

For Applicant : Mr. Sukhjinder Singh, Advocate

For Respondents : Mr. Arvind Patel, Advocate

CORAM:

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

HON'BLE AIR MARSHAL B.B.P.SINHA, MEMBER (A)

O R D E R

12.12.2019

Counter affidavit has been filed. Applicant does not want to file rejoinder.

2. Present OA has been filed by the applicant claiming disability benefit in respect of his disability, i.e., ID 'CA Tongue (Optd) ICD C-02.9'. In the counter affidavit, there is no averment that the applicant is a Tobacco chewer and therefore, he has sustained disability. However, while rejecting the second appeal, competent authority has made a mention of the same.

3. Under the circumstances, respondents are directed to bring relevant record pertaining to this fact and the other medical documents.

4. List for hearing on **02.07.2020**.

5. Order **dasti**.

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

**(AIR MARSHAL B.B.P.SINHA)
MEMBER (A)**

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