

COURT No.2  
ARMED FORCES TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

44.

OA 927/2017

Uma Shankar Singh ..... Applicant  
VERSUS  
Union of India and Ors. .... Respondents

For Applicant : Mr. R N Sharma, Advocate  
For Respondents : Mr K K Tyagi, Advocate

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)  
HON'BLE LT GEN C. P. MOHANTY, MEMBER (A)

ORDER  
26.10.2023

The prayer *qua*( a) made through the present OA is to the effect:

- (a) *To direct the respondents to complete the RMB of the applicant and assess the disability percentage within a time frame as deemed appropriate by this Hon'ble Tribunal considering the circumstances of the applicant.*
- (b) *To direct the respondents to grant 50% disability pension to the applicant based on the medical board held during the service for the said disabilities with effect from the date of the discharge of the applicant and to further direct the respondents to pay arrears from the date of discharge i.e. 29.10.2011 alongwith interest @12% p.a. till its payment to the applicant.*
- (c) *Pass any other or such further order or orders as deemed fit to this Hon'ble Tribunal in order to secure the ends of justice in favour of the applicant."*

2. A perusal of para (C)(iv) of the counter affidavit dated 11.09.2017 filed by the respondents indicates to the effect:

*"(iv) That his RMB could not be conducted before the date of discharge from IAF as he was discharged immediately in terms of his request. The RMB will be conducted belatedly as per Para*

*5.4.84(b) of IAP 4303(4<sup>th</sup> Edition) and GoI, MoD  
letter 10(1)/87/D/Pen-C dated 13 Nov  
1987(Amended)”*

3. The respondents are directed to place on record the RMB proceedings conducted in the matter on the next date of hearing with copy thereof being supplied to the applicant through counsel.
4. Re-list for final hearing on 23.11.2023.
5. A copy of this order be given Dasti to the respondents.

**(JUSTICE ANU MALHOTRA)  
MEMBER (J)**

**(LT GEN C. P. MOHANTY)  
MEMBER (A)**

CHANANA