

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

201.

OA 208/2017

|                        |       |             |
|------------------------|-------|-------------|
| Lt Col Gaurav Bhardwaj | ..... | Applicant   |
| VERSUS                 |       |             |
| UOI & Ors              | ..... | Respondents |

|                 |   |                                     |
|-----------------|---|-------------------------------------|
| For Applicant   | : | Mr. H.S. Sharma, Advocate           |
| For Respondents | : | Mr. V.S. Tomar, Advocate for RR 1-4 |
|                 | : | Mr. Rajesh Sehgal for R-5           |

**CORAM:**

**HON'BLE MR. JUSTICE VIRENDER SINGH, CHAIRPERSON**  
**HON'BLE LT GEN PHILIP CAMPOSE, MEMBER (A)**

**ORDER**  
**24.10.2018**

List the main case for final consideration  
on 13<sup>th</sup> December, 2018.

**(VIRENDER SINGH)**  
**CHAIRPERSON**

**(PHILIP CAMPOSE)**  
**MEMBER (A)**

24.10.2018/vks

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

202.

OA 229/2017

|                            |       |             |
|----------------------------|-------|-------------|
| Lt Col Anil Sabhlok (Retd) | ..... | Applicant   |
| VERSUS                     |       |             |
| UOI & Ors                  | ..... | Respondents |

WITH

203.

OA 236/2017

|                              |       |             |
|------------------------------|-------|-------------|
| Lt Col Deepti Sabhlok (Retd) | ..... | Applicant   |
| VERSUS                       |       |             |
| UOI & Ors                    | ..... | Respondents |

|                 |   |                               |
|-----------------|---|-------------------------------|
| For Applicant   | : | Mr. Rajiv Manglik, Advocate   |
| For Respondents | : | Dr. V.S. Mahandiyan, Advocate |

CORAM:

HON'BLE MR. JUSTICE VIRENDER SINGH, CHAIRPERSON  
HON'BLE LT GEN PHILIP CAMPOSE, MEMBER (A)

ORDER  
24.10.2018

1. These are two cases on Board fixed today for consideration of the Tribunal.
2. We in the start took up OA No.229/2017 relating to Lt Col Anil Sabhlok (Retd), who is seeking directions to the respondents to grant him disability pension for the diseases accepted in the Release Medical Board (RMB), i.e., forty per cent composite for the following two disabilities :

- (i) PRIMARY HYPERTENSION (401)
- (ii) DIABETES MELLITUS (TYPE-II) (250)

The applicant also seeks rounding of the composite disabilities of forty per cent to fifty per cent in terms of the letter dated 31<sup>st</sup> January, 2001, issued by the respondents.

3. During the course of arguments we were taken to RMB (Annexure A-2) consisting of four pages wherein the aforesaid two diseases have been shown to have occurred due to stress and strain of Military Service. According to Mr. Rajiv Manglik, learned for the applicant, it is the true copy of the RMB dated 20<sup>th</sup> May, 2003. However, while looking at RMB we noticed that two pages of the same are missing, viz. page No.2 and page No.3 respectively. In this regard we felt the necessity of looking at the original RMB proceedings brought by Lt Col Rupesh and Mr. Avinash Srivastava, Deputy Director, MPRS (O)/DGMS (Army). We find that the original RMB consists of six pages. Mr. Manglik states that the RMB (Annexure A-2) annexed with the OA was supplied to him by the applicant himself and that is the reason that he attached the same with the OA being true copy of the RMB.

4. Another fact which we have noticed on page No.2 of Annexure A-2 (Page 4 of Original RMB) is that under the initials of Commanding Officer, D. Sabhlok is written in pen ink whereas on page No.4 of the original RMB under the signatures of Commanding Officer Deepti Sabhlok is written. Why it is so, again creates a suspicion. Whereas the instant matter is shrouded under great suspicion, as is clear from our short orders passed while dealing with the instant matter, this fact also requires clarification from the applicant.

5. Another fact which we have noticed while perusing Medical Board proceedings available on record of the OA and from the original records produced before us, that the aforesaid two disabilities were noticed in August 2002. If we look at one of the columns of Part-1 filled by the applicant, it is mentioned August 2002 to till date, that means till the date of examination by the RMB. If the applicant had developed the aforesaid two disabilities in August 2002 for which he is now seeking disability pension and rounding off the same, a Medical Board must have been held immediately, may be in August 2002 itself for medically down grading the applicant. We felt the necessity of perusing the proceedings of the said Board and put a specific query to learned counsel for the respondents in this regard who, on instructions of Lt Col Rupesh, states that the said proceedings of the Medical Board are not in their possession today. Learned counsel seeks four weeks' time for producing the same. Granted. The respondents will also keep available with them the Policy Letter seeking disability pension by AMC officers on the next date of hearing.

6. We thus cannot proceed further till we peruse the Medical Board proceedings of August 2002 vis-à-vis the applicant; therefore consideration of the present case is deferred for four weeks, although the instant matter and the clubbed matter filed by his wife (Deepti Sabhlok) for the same relief have gone quite old and are on Board since year 2017.

7. List again on 14<sup>th</sup> November, 2018, as **PART HEARD**.

8. We, however, make it clear that the concerned officials will also bring the complete medical record relating to the applicant in

OA No.236/2017 on the next date of hearing so that consideration of the said case is not deferred for want of records.

9. As requested copy of this order be provided DASTI to learned counsel on both sides for compliance.

**(VIRENDER SINGH)**  
**CHAIRPERSON**

**(PHILIP CAMPOSE)**  
**MEMBER (A)**

24.10.2018/vks

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

204.

OA 351/2017

|                       |       |             |
|-----------------------|-------|-------------|
| NK/Dvr Hemraj Saharan | ..... | Applicant   |
| VERSUS                |       |             |
| UOI & Ors             | ..... | Respondents |

|                 |   |                                                                     |
|-----------------|---|---------------------------------------------------------------------|
| For Applicant   | : | Mr. U.S. Maurya, Advocate                                           |
| For Respondents | : | Mr. Surjit Singh, Advocate for<br>Mr. Avdhesh Kumar Singh, Advocate |

CORAM:

HON'BLE MR. JUSTICE VIRENDER SINGH, CHAIRPERSON  
HON'BLE LT GEN PHILIP CAMPOSE, MEMBER (A)

ORDER  
24.10.2018

List for final consideration as per seriatim.

(VIRENDER SINGH)  
CHAIRPERSON

(PHILIP CAMPOSE)  
MEMBER (A)

24.10.2018/vks

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

205.

OA 364/2017

|                                |       |             |
|--------------------------------|-------|-------------|
| Maj (Retd) Adarsh Kumar Sharma | ..... | Applicant   |
| <b>VERSUS</b>                  |       |             |
| UOI & Ors                      | ..... | Respondents |

|                 |   |                                                                 |
|-----------------|---|-----------------------------------------------------------------|
| For Applicant   | : | Ms. Nazoo Sharma, Advocate for<br>Mr. A.K. Srivastava, Advocate |
| For Respondents | : | Dr. V.S. Mahandiyan, Advocate                                   |

CORAM:

**HON'BLE MR. JUSTICE VIRENDER SINGH, CHAIRPERSON  
HON'BLE LT GEN PHILIP CAMPOSE, MEMBER (A)**

**ORDER  
24.10.2018**

Ms. Nazoo Sharma, Advocate, states Mr. A.K. Srivastava, Advocate, has now been engaged for the applicant and will be filing his Vakalatnama during the course of the week. Registry to accept the same.

List for final consideration as per seriatim.

**(VIRENDER SINGH)  
CHAIRPERSON**

**(PHILIP CAMPOSE)  
MEMBER (A)**

24.10.2018/vks

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

206.

OA 469/2017

|                      |       |             |
|----------------------|-------|-------------|
| Wg Cdr Anuma Acharya | ..... | Applicant   |
| VERSUS               |       |             |
| UOI & Ors            | ..... | Respondents |

|                 |   |                                 |
|-----------------|---|---------------------------------|
| For Applicant   | : | Mr. S.S. Pandey, Advocate       |
| For Respondents | : | Mr. Harish V. Shankar, Advocate |

CORAM:

HON'BLE MR. JUSTICE VIRENDER SINGH, CHAIRPERSON  
HON'BLE LT GEN PHILIP CAMPOSE, MEMBER (A)

**ORDER**  
**24.10.2018**

Mr. S.S. Pandey, Advocates, states that he will be tendering his Vakalatnama on behalf of the applicant during the course of the week. Registry to accept the same.

List for final consideration as per seriatim.

**(VIRENDER SINGH)**  
**CHAIRPERSON**

**(PHILIP CAMPOSE)**  
**MEMBER (A)**

24.10.2018/vks



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

207.

OA 708/2017

|                |       |             |
|----------------|-------|-------------|
| Col Ajit Singh | ..... | Applicant   |
| VERSUS         |       |             |
| UOI & Ors      | ..... | Respondents |

|                 |   |                                      |
|-----------------|---|--------------------------------------|
| For Applicant   | : | Mr. Rajiv Manglik, Advocate          |
| For Respondents | : | Mr. V. S. Tomar, Advocate for RR 1-3 |
|                 | : | Mr. S.P. Sharma, Advocate for RR 4-5 |

CORAM:

HON'BLE MR. JUSTICE VIRENDER SINGH, CHAIRPERSON  
HON'BLE LT GEN PHILIP CAMPOSE, MEMBER (A)

ORDER  
24.10.2018

List for final consideration as per seriatim.

(VIRENDER SINGH)  
CHAIRPERSON

(PHILIP CAMPOSE)  
MEMBER (A)

24.10.2018/vks

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

208.

OA 1036/2017

|                      |       |             |
|----------------------|-------|-------------|
| Cadet Deepak Lakhera | ..... | Applicant   |
| VERSUS               |       |             |
| UOI & Ors            | ..... | Respondents |

|                 |   |                              |
|-----------------|---|------------------------------|
| For Applicant   | : | Ms. Archana Ramesh, Advocate |
| For Respondents | : | Mr. V. S. Tomar, Advocate    |

**CORAM:**

**HON'BLE MR. JUSTICE VIRENDER SINGH, CHAIRPERSON  
HON'BLE LT GEN PHILIP CAMPOSE, MEMBER (A)**

**ORDER**  
**24.10.2018**

List for final consideration as per seriatim.

**(VIRENDER SINGH)  
CHAIRPERSON**

**(PHILIP CAMPOSE)  
MEMBER (A)**

24.10.2018/vks

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

209.

OA 1281/2017

|                          |       |             |
|--------------------------|-------|-------------|
| Col Jaidev Singh Rathore | ..... | Applicant   |
| VERSUS                   |       |             |
| UOI & Ors                | ..... | Respondents |

|                 |   |                                                                          |
|-----------------|---|--------------------------------------------------------------------------|
| For Applicant   | : | Mr. Rajender Kumar, Advocate for<br>Mr. I.S. Singh, Advocate             |
| For Respondents | : | Mr. Abhimanyu Gupta, Advocate for<br>Mr. Tarunvir Singh Khehar, Advocate |

**CORAM:**

**HON'BLE MR. JUSTICE VIRENDER SINGH, CHAIRPERSON  
HON'BLE LT GEN PHILIP CAMPOSE, MEMBER (A)**

**ORDER  
24.10.2018**

Mr. I.S. Singh, learned counsel for the applicant, is stated to be busy arguing a matter before another Court.

As some urgency is projected by vice counsel for taking up this matter, adjourned and list again on 19<sup>th</sup> December, 2018.

**(VIRENDER SINGH)  
CHAIRPERSON**

**(PHILIP CAMPOSE)  
MEMBER (A)**

24.10.2018/vks

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

210.

OA 1651/2017 WITH MA 1232/2017  
AND MA 457/2018

|                          |       |             |
|--------------------------|-------|-------------|
| Pradeep Kumar Ex-LA (AH) | ..... | Applicant   |
| VERSUS                   |       |             |
| UOI & Ors                | ..... | Respondents |

For Applicant : Mr. Ankit Singh, Advocate for  
Mr. Ajit Kakkar, Advocate  
For Respondents : Mr. Harish V. Shankar, Advocate

**CORAM:**

**HON'BLE MR. JUSTICE VIRENDER SINGH, CHAIRPERSON  
HON'BLE LT GEN PHILIP CAMPOSE, MEMBER (A)**

**ORDER  
24.10.2018**

Learned counsel for the applicant is not available today.

List for final consideration as per seriatim. Rejoinder, if  
any, in the meanwhile.

**(VIRENDER SINGH)  
CHAIRPERSON**

**(PHILIP CAMPOSE)  
MEMBER (A)**

24.10.2018/vks

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

211.

OA 438/2018

|                        |       |             |
|------------------------|-------|-------------|
| Sub ( PA) Naresh Kumar | ..... | Applicant   |
| VERSUS                 |       |             |
| UOI & Ors              | ..... | Respondents |

|                 |   |                               |
|-----------------|---|-------------------------------|
| For Applicant   | : | Mr. J.P. Sharma, Advocate for |
|                 |   | Mr. V.S. Kadian, Advocate     |
| For Respondents | : | Mr. Anil Gautam, Advocate     |

CORAM:

HON'BLE MR. JUSTICE VIRENDER SINGH, CHAIRPERSON  
HON'BLE LT GEN PHILIP CAMPOSE, MEMBER (A)

ORDER  
24.10.2018

List for final consideration as per seriatim. Rejoinder, if any, in the meanwhile.

(VIRENDER SINGH)  
CHAIRPERSON

(PHILIP CAMPOSE)  
MEMBER (A)

24.10.2018/vks

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

212.

OA 538/2018

|               |       |             |
|---------------|-------|-------------|
| Maj Vishal MS | ..... | Applicant   |
| VERSUS        |       |             |
| UOI & Ors     | ..... | Respondents |

|                 |   |                                 |
|-----------------|---|---------------------------------|
| For Applicant   | : | Ms. Garima Sachdeva, Advocate   |
| For Respondents | : | Mr. Harish V. Shankar, Advocate |

**CORAM:**

**HON'BLE MR. JUSTICE VIRENDER SINGH, CHAIRPERSON**  
**HON'BLE LT GEN PHILIP CAMPOSE, MEMBER (A)**

**ORDER**  
**24.10.2018**

List for final consideration as per seriatim.

**(VIRENDER SINGH)**  
**CHAIRPERSON**

**(PHILIP CAMPOSE)**  
**MEMBER (A)**

24.10.2018/vks

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

301.

OA 8/2017

|                   |       |             |
|-------------------|-------|-------------|
| LAM-I Sunil Kumar | ..... | Applicant   |
| VERSUS            |       |             |
| UOI & Ors         | ..... | Respondents |

|                 |   |                                                            |
|-----------------|---|------------------------------------------------------------|
| For Applicant   | : | Mr. Ankit Singh, Advocate for<br>Mr. Ajit Kakkar, Advocate |
| For Respondents | : | Ms. Barkha Babbar, Advocate                                |

CORAM:

HON'BLE MR. JUSTICE VIRENDER SINGH, CHAIRPERSON  
HON'BLE LT GEN PHILIP CAMPOSE, MEMBER (A)

**ORDER**  
**24.10.2018**

Mr. Ajit Kakkar, learned arguing counsel for the applicant is stated to be out of country, therefore vice counsel seeks an adjournment.

List again at the bottom of Regular Hearing cases of the year 2017.

**(VIRENDER SINGH)**  
**CHAIRPERSON**

**(PHILIP CAMPOSE)**  
**MEMBER (A)**

24.10.2018/vks

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

302.

OA 58/2017

|                                |       |             |
|--------------------------------|-------|-------------|
| Lt Col Ravinder Singh Bhandari | ..... | Applicant   |
| VERSUS                         |       |             |
| UOI & Ors                      | ..... | Respondents |

303.

OA 1645/2016

|                                |       |             |
|--------------------------------|-------|-------------|
| Lt Col Parampreet Singh Kochar | ..... | Applicant   |
| VERSUS                         |       |             |
| UOI & Ors                      | ..... | Respondents |

|                 |   |                                                                      |
|-----------------|---|----------------------------------------------------------------------|
| For Applicant   | : | None                                                                 |
| For Respondents | : | Gp Capt K.S. Bhati, Sr. CGSC with<br>Mr. Harish V. Shankar, Advocate |
|                 | : | Dr. V.S. Mahandiyan, Advocate                                        |

CORAM:

HON'BLE MR. JUSTICE VIRENDER SINGH, CHAIRPERSON  
HON'BLE LT GEN PHILIP CAMPOSE, MEMBER (A)

ORDER  
24.10.2018

List again at the bottom of Regular Hearing cases of the  
year 2017.

(VIRENDER SINGH)  
CHAIRPERSON

(PHILIP CAMPOSE)  
MEMBER (A)



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

305.

OA 101/2017

|                   |       |             |
|-------------------|-------|-------------|
| Wg Cdr A.S. Sonna | ..... | Applicant   |
| VERSUS            |       |             |
| UOI & Ors         | ..... | Respondents |

|                 |   |                                                            |
|-----------------|---|------------------------------------------------------------|
| For Applicant   | : | Mr. Ankit Singh, Advocate for<br>Mr. Ajit Kakkar, Advocate |
| For Respondents | : | Gp Capt K.S. Bhati, Sr. CGSC                               |

CORAM:

HON'BLE MR. JUSTICE VIRENDER SINGH, CHAIRPERSON  
HON'BLE LT GEN PHILIP CAMPOSE, MEMBER (A)

ORDER  
24.10.2018

Mr. Ajit Kakkar, learned arguing counsel for the applicant is stated to be out of country, therefore vice counsel seeks an adjournment.

List again at the bottom of Regular Hearing cases of the year 2017.

(VIRENDER SINGH)  
CHAIRPERSON

(PHILIP CAMPOSE)  
MEMBER (A)

24.10.2018/vks