

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

14.

OA 168/2018

Gp Capt Girish Kumar Johri (Retd) Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Anil Srivastava, Advocate
For Respondents : Mr. Harish V Shankar with
Mr. S. Krishnan, Advocates
Sgt Pankaj Sharma, DAV

CORAM

**HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)**

**ORDER
17.01.2024**

Though the respondents state that they have got the original RMB proceedings, they seek to rely on the entire Medical Records qua the applicant in view of the onset of the disability of Diabetes Mellitus Type-II(Old) in October, 2001 with the Proliferative Diabetic Retinopathy Both Eyes(Old) in April , 2009.

Time sought on behalf of the respondents to produce the said documents and placed on record which be so filed within a period of two weeks with a copy being supplied to the applicant through counsel.

Counsel for the applicant submits that the prayer made through the present OA is confined to seeking the grant of the disability element of pension in relation to the disabilities of Primary Hypertension(Old) and Diabetes Mellitus Type-II(Old) and the prayer made for the grant of disability element of pension for Proliferative Diabetic Retinopathy Both Eyes(OLD) is not pressed.

In view of the said submissions made on behalf of the applicant apparently the Medical Records that the respondents seek to produce in relation to the onset of Proliferative Diabetic Retinopathy Both Eyes(OLD) becomes superfluous. The respondents however seek to produce the said records in relation to the aspect of Primary Hypertension(Old) and Diabetes Mellitus Type-II(Old) submitting to the effect that the same are lifestyle and metabolic disorders.

Re-notify the matter on **16.04.2024**

Copy of this order be given *DASTI*

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(REAR ADMIRAL DHIREN VIG)
MEMBER (A)

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