

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

20.

OA 2080/2019

Hav/DSC Satish Dekapurwar Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr Trilok Chand, proxy for Mr. US
Maurya, Advocate
For Respondents : Mr. D K Sabat, Advocate
Maj A.R. Subramanium, OIC Legal Cell

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

ORDER
27.05.2024

On behalf of the respondents, has been submitted a copy of the PPO which is taken on record. Vide order dated 29.11.2019, it was directed to the effect that”

“Heard. Admit.

Issue Notice which is accepted by Mr. V.S.Tomar, counsel for the respondents. He seeks time to file counter affidavit. Learned counsel submits that on instructions, he has put in appearance. However, no instructions regarding the case has been received by him and time is sought for taking necessary instructions and to assist the Tribunal. However, according to him, the applicant has been found to be in low medical category. Therefore, he is liable to be discharged as per the prevailing rules and is not entitled to any interim relief.”

2. The copy of the said order of the respondents is placed on record, and copy thereof is supplied to the learned counsel for

the applicant. It is submitted on behalf of the respondents that vide order dated 17.03.2022, a copy of which is supplied to the applicant, the applicant has been granted disability element of pension consisting of service element of pension which is equivalent to Service Pension and 60% disability rounded off @75% vide the PPO. Apparently, thus the RMB has been conducted on 29.11.2019 and the applicant is in receipt of disability element of pension alongwith service element of pension. There is nothing more that survives in the present OA and the applicant likewise submits that that the present OA be disposed of.

In view of the submissions made on behalf of the applicant and the respondents and the PFO placed on record, as OA 2080/2019 calls for no further action, the same stands disposed of accordingly.

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

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

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