

COURT NO. 1  
ARMED FORCES TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

85.

OA 2006/2018 WITH MA 2201/2018

Ex Hav Chhitar Singh ..... Applicant  
Versus  
Union of India & Ors. .... Respondents

For Applicant : Mr. Praveen Kumar, Advocate  
For Respondents : Mr. Rajan Khosla, Advocate

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON  
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

O R D E R  
22.04.2024

From the facts that have come on record, it is seen that after the applicant's disability was assessed @20% for life w.e.f. 24<sup>th</sup> April, 1997 by the Re-survey Medical Board held on 5<sup>th</sup> December, 1996, again a fresh Re-survey Medical Board has been conducted by the respondents on 8<sup>th</sup> December, 2001 at Military Hospital, Agra where the disability was assessed @11- 14% (less than 20%) based on the same the respondents are now contesting the claim of the applicant. The tenability of conducting the RSMB on 8<sup>th</sup> December, 2001 is an issue which has to be decided based on the objections raised by the applicant. For doing so, we need the proceedings of the RSMB held on 8<sup>th</sup> December,

2001 and the circumstances under which it was ordered to be conducted.

2. Respondents are directed to produce two sets of both the aforesaid documents, i.e., RSMB held on 8<sup>th</sup> December, 2001 and the reason as to why, after assessment by the Medical Board on 5<sup>th</sup> December, 1996 the applicant's disability was assessed @20% for life, a fresh RSMB was conducted after five years.

3. List the matter on 17<sup>th</sup> May, 2024.

4. A copy of this order be provided *'DASTI'* to learned counsel for the parties.

[JUSTICE RAJENDRA MENON]  
CHAIRPERSON

[REAR ADMIRAL DHIREN VIG]  
MEMBER (A)

**Ps**  
**OA 2006/2018**