

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

J.

OA 2260/2021 with MA 2363/2021

HFL Sripada Venkateswara Rao (Retd) ..... Applicant  
Versus  
Union of India & Ors. .... Respondents

For Applicant : Mr. Ramniwas Bansal, Advocate  
For Respondents : Mr. Satya Ranjan Swain, Advocate

CORAM

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

O R D E R  
22.08.2024

The matter was heard by us on 25.07.2024 and the matter was reserved. However, on going through the record we find that in the RMB proceedings available on record there was nothing to indicate that the applicant was alcoholic. However, in Para D of the counter affidavit at page 82 reference is made to a medical report AFMSF-15 of 24.12.2009, which was conducted while the applicant was posted in Nagpur and it is indicated as under in this Para:

*“D. That the applicant was initially detected to have primary Hypertension during AME and placed in medical classification A4G4 (Temp) (T-24) and was advised to stop drinking alcohol as he was consuming alcohol vide AFMSF-15 dated 24.12.2009, while posted at Nagpur. He was detected to have Metastatic Prostate Cancer and placed in medical classification A4G4 (Temp) (T-24) vide AFMSF-15 dated 18.07.2018, while posted at Chandigarh. He was thereafter, reviewed periodically for both the disabilities and was placed in medical classification A4G4 (Permanent) vide AFMSF-15 dated 31.12.2018. The medical board at the time assessed his disabilities as neither aggravated, nor attributable to service. He affixed his signatures on the medical board, thereby signifying that he accepted the decision of the medical board.”*

2. However, documents in support of the aforesaid are not available. The respondents are directed to produce the document as indicated in Para D.
3. That apart, they should also produce the weight chart of the applicant from 2008 onwards.
4. Two weeks' time granted.
5. Matter be treated as **Part Head**.
6. List the matter again on **19.09.2024**.
7. A copy of this order be provided DASTI to learned counsel for both the parties.

[JUSTICE RAJENDRA MENON]  
CHAIRPERSON

[REAR ADMIRAL DHIREN VIG]  
MEMBER (A)

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