

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

B.

OA 655/2019 with MA 1245/2019

Ex Hav Clk Mehtab Singh Dahiya Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Rajesh Nandal, Advocate
For Respondents : Mr. Arvind Patel, Advocate

CORAM

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

ORDER
18.01.2024

This matter was reserved for orders.

The applicant vide the present OA 655/2019 has made the following prayers :-

*“(a) direct respondents to pass suitable directions to MD, ECHS to bring him and his dependent's in the ambit of their scheme as he is entitled for the same being a regular pensioner. And/or
(b) direct further to charge him at the same rate which was chargeable in Mar 2009 when he was due for this benefit. And
(c) direct records office to pay the applicant monthly medical allowance as per the authorized rate with the due arrears of with interest @12% p.a. from the date it was due till the ECHS card is issued to him. And
(d) Issue the discharge certificate with all the details to the applicant which is an necessary document of an ex-servicemen and is required by him for various purposes. And
(e) Any other relief which the Hon'ble Tribunal may deem fit and proper in the fact and circumstances of the case along with cost of the applicant in favour of the applicant and against the respondents.”*

Without any observations on the merits or demerits of the prayers, made in view of averments made in the counter affidavit dated 28.05.2021 filed on behalf of the respondents to the effect that the discharge book (IAFY-1964) bearing Ser No. 1153/2019 has been issued and forwarded to the applicant vide BEG Records, Roorkee letter No. 1460499/DR/R/NE-6(D) dated 08 Jan 2019, the copy of the said discharge book submitted on record by the respondents for the next date of hearing.

Furthermore, in view of submissions made in the said counter affidavit by the respondents to the effect that the applicant had never approached their office for the monthly medical allowances and ECHS card and that a single and a joint passport size photographs duly attested by Zila Sainik Board were asked from the applicant but the same were not submitted by the applicant, the present status in relation in thereto be submitted by the applicant on the next date of hearing.

The matter is directed to be re-notified for **08.02.2024**. the copy of the order be supplied to the respondents as prayed for compliance.

Copy of this order be given **DASTI** as prayed.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

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

Yogita