

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

28.

MA 1994/2024 in OA 1823/2020

Ex Sgt Mukesh Kumar Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Baljeet Singh, Advocate
For Respondents : Ms. Barkha Babbar, Advocate

CORAM

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

ORDER
06.08.2024

On behalf of the respondents has been submitted copy of a letter no. 16050/DGAFMS/MA (Pension)/MK dated 03.07.2024 stating therein to the effect :-

“ CLARIFICATION ON APPLICABILITY OF GMO 2023
POST DISCHARGE CLAIM (PDC) MEDICAL BOARD
ON COURT ORDER 764186-R EX-SGT MUKESH
KUMAR, PMF (E)

1. Ref your letter No Air HQ/99801/5/DAV (Med) dt 27 Jun 24.

2. It is reiterated that GMO 2023 is applicable to all cases of death/disability recorded on or after 21 Sep 2023 as per our letter No. 16036/RAMB/IMB/DGAFMS/MA (Pens) dt 29 Apr 24.

3. In the instant case veteran was discharged from service in SHAPE-I and hence did not undergo any Release Medical Board for the impairments addressed in the Post Discharge Claim (PDC) Medical Board. The

first instance of recording of impairments was at the time of conduct of PDC Medical Board which was carried out on 03 May 24 which is after the promulgation of GMO 2023 on 21 Sep 23. Accordingly GMO 2023 is applicable in the instant case.

4. This is for your info and necessary action.”

2. The matter be re-notified for hearing on 19.09.2024.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(LT GEN P. M. HARIZ)
MEMBER (A)

Yogita