

**COURT No.2, ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

127.

OA 1291/2017 with MA 1143/2017

Ex Sgt (Dr.)Omkar Nath Katiyar : Applicant
Vs
UOI & Ors. : Respondents

For Applicant: Mr. Harshwardhan, proxy for
Mr. S S Pandey, Advocate
For Respondents: Mr. S P Sharma, Advocate

CORAM:

HON'BLE MR. JUSTICE V.K.SHALI, MEMBER (J)
HON'BLE VICE ADMIRAL A. G. THAPLIYAL, MEMBER (A)

O R D E R
02.02.2018

1. The OA/MA be listed for hearing on **11th April, 2018** before the Tribunal. In the meantime, both parties are directed to file a brief synopsis of their submissions along with the relevant extracts of the regulations/rules/letters pertaining to the cases where disability pension has been denied by the Respondents on the basis of Release Medical Board on the ground of non-attributability and non-aggravation due to military service. Endeavour shall be made by the respective sides to keep one compilation only and exchange the same with other side so that the same will help the Tribunal in understanding the formulation involved in the In some of the matters, the pleadings are not complete.
2. The Respondents accepts notice in such of the matters and undertake to file reply in four weeks' time with an advance copy to the Applicant/his Counsel. The Applicant shall file Rejoinder Affidavit well before the next date of hearing.

3. List before the Principal Registrar on **07th March,2018** for completion of pleadings.

4. In all cases, where application has been filed for condonation of delay in filing of Counter Affidavit, delay has been condoned, as sufficient cause has been shown.

(JUSTICE V.K.SHALI)
MEMBER (J)

(VICE ADMIRAL A G THAPLIYAL)
MEMBER (A)

02.02.2018/VKUL