

**COURT No.3
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

25.

OA 597/2017 with MA 513/2017

Ex CPO RC Ramphal Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. S C Tomar, Advocate
For Respondents : Mr. Prabodh Kumar, Sr. CGSC

CORAM

HON'BLE MS. JUSTICE NANDITA DUBEY, MEMBER (J)
HON'BLE MS. RASIKA CHAUBE, MEMBER (A)

ORDER
29.04.2025

MA 513/2017

Keeping in view the averments made in the miscellaneous application and finding the same to be bona fide, in the absence of any opposition from the respondents and in the light of the decision in *Union of India and others Vs. Tarsem Singh [(2008) 8 SCC 648]*, the MA is allowed condoning the delay of 9040 days in filing the OA. The MA stands disposed of.

OA 597/2017

A query was put to the counsel appearing for the respondents that as per their counter affidavit in Para 1, the Release Medical Board had assessed the disability of the

applicant @ 20% for life, however, as per page-41 shown by the respondents, Controller of Defence Accounts (Navy) had accepted the claim @ 20% for two years. Respondents are directed to indicate whether the executive body can change the decision of the Release Medical Board assessing the disability of the applicant as 20% for life in the light of the judgement passed by Hon'ble Supreme Court in *Ex Sapper Mohinder Singh and Others* Vs. *Union of India* (Civil Appeal No. 164/1993 decided on 14th January, 1993).

2. List the matter on **20.05.2025** before the same bench.

(JUSTICE NANDITA DUBEY)
MEMBER (J)

(RASIKA CHAUBE)
MEMBER (A)

KT/RB