

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

80.

MA 4126/2023 IN OA 1108/2023

Ex Hav Rajender Singh ..... Applicant  
Versus  
Union of India & Ors. .... Respondents

For Applicant : Mr. Ved Prakash, Advocate  
For Respondents : Mr. K K Tyagi, Advocate

CORAM

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

ORDER  
21.12.2023

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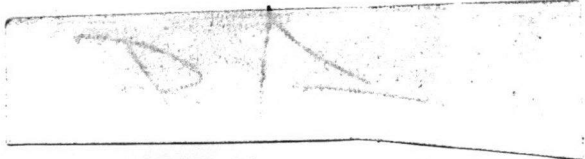
Seeking execution of an order passed by this Tribunal on 03.05.2023 in OA 1108/2023, the applicant has filed this application. It is the grievance of the applicant that Re-survey Medical Board (RSMB) is being conducted only for the purpose of general medical examination and medical examination in the matter of a "Fracture Medial Malleolus (RT)" said to have been sustained by the applicant but no RSMB is being conducted to find out the reason for Battle Casualty in an operation by the applicant or injury sustained by him as a result of Battle Casualty. *Inter alia*, seeking a direction to the respondents to conduct the RSMB for his Battle Casualty and disability, if any, this application has been filed.

2. A perusal of the order passed by this Tribunal indicates that the Tribunal has issued a general order for conducting RSMB of the applicant after condoning the delay of more than 5973 days in filing of the OA. Having considered the submissions made and the directions issued in Para 8 of the order passed in OA 1108/2023 on 03.05.2023, we find no case made out for issue of any further direction of the nature prayed for in this application.

3. In our considered view, the application for execution is misconceived and is not maintainable and, therefore, the same is dismissed.

4. The MA stands disposed of.

5. No order as to costs.



[JUSTICE RAJENDRA MENON]  
CHAIRPERSON



[REAR ADMIRAL DHIREN VIG]  
MEMBER (A)

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