

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

8.

OA 180/2018 with MA 122/2018

Lt Col HC Bhardwaj (Retd) Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Rajiv Manglik, Advocate
For Respondents : Ms. Barkha Babbar, Advocate

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

ORDER
30.11.2023

The learned counsel for the applicant submits that the applicant has expired on 09.03.2021. On behalf of the applicant has been submitted a copy of death certificate qua the applicant showing his demise on 09.03.2021.

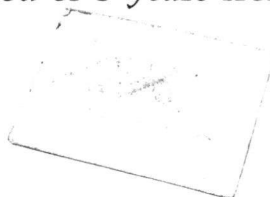
2. In as much as the prayers made through the present OA were to the effect:

“(a) To declare the action of the respondents as unjust, arbitrary and illegal’ and

(b) To quash and set aside letter dated 27 Nov 2017, 27 Aug 2017 and 24 Feb.1995’ and

(c) To direct the respondents to conduct the review/re-survey medical board and grant the disability pension to the applicant for life as assessed by the review medical board after rounding off the disability in terms of letter dated 31 Jan 2001; and

(d) To grant an interest of 18% on the delayed payment of disability element of the disability pension after restricting the arrears to a period of 3 years from the date of filing of the OA” and



(e) To award exemplary costs upon the respondents in the facts and circumstances of the record: and
(f) Such further order or orders direction/directions be passed so as to this learned Tribunal may deem fit and proper in accordance with law," the learned counsel for the applicant submits that the present OA is thus rendered infructuous as the Review/Re-survey Medical Board *qua* the applicant cannot be conducted now.

2. In view of the submissions made by the learned counsel for the applicant, the OA is thus disposed of as having been rendered infructuous in view of the demise of the applicant.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(REAR ADMIRAL DHIREN VIG)
MEMBER (A)

//CHANANA//