

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

1.

MA 5459/2023 in OA 873/2019

Ex JWO Vinod Kumar Agnihotri Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Praveen Kumar, Advocate
For Respondents : Dr. V.S. Mahndiyan, Advocate

CORAM

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

ORDER
03.01.2024

MA 5459/2023 has been filed on behalf of the applicant seeking modification of the order dated 30.11.2023 in OA 873/2019 vide para-2 thereof it was stated to the effect:-

"2. The applicant was enrolled in the Indian Air Force on 17.01.1985 and was discharged from the service on 31.07.2017 in Low Medical Category A4G4 (P) without disability pension."

to submit to the effect the date of discharge of the applicant is not 31.07.2017 as mention therein rather 31.01.2017.

Notice of the application is issued and accepted on behalf of the respondents. A perusal of the original records of OA 873/2019 indicates that as averred in para-1 in the category of Brief History in the counter affidavit dated 06.12.2019 filed by the respondents, it has been stated to the effect:-

"1. That the applicant herein was enrolled in the IAF 17.01.1985 and stood discharge therefrom on 31.01.2017 under the clause "on fulfilling the conditions of his enrolment" after rendering total 32 years and 15 days of regular service and further underwent initial medical exam whereby he was declared fit in medical category 'AYE' vide AFMSF-2A dated 22.12.1984."

indicating thus clearly that the date of discharge of the applicant was 31.01.2017 and not 31.07.2017. In view thereof, the order dated 30.11.2023 in OA 873/2019 is rectified to read to the effect:-

"2. The applicant was enrolled in the Indian Air Force on 17.01.1985 and was discharged from the service on 31.01.2017 in Low Medical Category A4G4 (P) without disability pension."

The MA 5459/2023 is thus disposed of accordingly.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(REAR ADMIRAL DHIREN VIG)
MEMBER (A)

POOJA