

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

7.

OA 278/2024

Ex Sepoy Dhan Dev Rai

... Applicant

Versus

Union of India & Ors.

... Respondents

For Applicant

:

Mr. Mohan Kumar, Advocate

For Respondents

:

Mr. Harish V Shankar, Advocate

CORAM :

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON

HON'BLE REAR ADMIRAL DHIREN VIG MEMBER (A)

ORDER

08.02.2024

The applicant was enrolled in the Defence Service Corps as Sepoy in 21.12.2013 and was discharged from service on 30th September, 2019. It is case of the applicant that he was discharged after serving 05 years 09 months and 10 days in the low medical category and seeks grant of medical documents, namely, which include the Review Medical Board proceedings. It is the grievance of the applicant that in spite of legal notice being sent through his counsel, nothing has been done and the medical documents pertaining to his discharge and declaration as a low medical category have not been provided.

Taking note of the totality of the circumstances, without entering into the controversy on merit, we direct that on the applicant's filing a copy of this order along with list of documents which he wants, respondents shall take note of the same and provide the same to the applicant. Documents that are available which can be supplied to the applicant as per rule and not to be supplied as per rule, it shall record the reasons for the same and necessary action in pursuance to the final

decision indicated in the document supplied be filed within a period of one month from the date of representation from the applicant.

A copy of this order be provided DASTI to learned counsel for both the parties.

OA stands disposed of.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

[REAR ADMIRAL DHIREN VIG]
MEMBER (A)

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