

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

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OA 2364/2025 with MA 3205/2025

Nk Ashok Kumar (Retd)

..... Applicant

VERSUS

Union of India and Ors.

..... Respondents

For Applicant

: Mr. Manoj Kr Gupta with  
Mr. Naveen Kumar, Advocate

For Respondents

: Mr. V S Mahndiyan, Advocate with  
Ms. Apurva Mahndiyan, Advocate  
Capt Abhishek Kumar, OIC Legal Cell

CORAM

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

HON'BLE LT GEN C. P MOHANTY, MEMBER (A)

ORDER

04.08.2025

MA 3205/2025

Keeping in view the averments made in the miscellaneous application and finding the same to be bona fide, 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 1051 days in filing the OA. The MA stands disposed of.

OA 2364/2025

2. Heard on the question of interim relief.
3. The applicant is a retired personnel of the Indian Army and DSC. His son, Mr. Dinesh Kumar, was diagnosed with Chronic Kidney Disease (CKD) in 2016 and was earlier treated in the Army Hospital R&R. However, the said treatment was stopped since March, 2022 due to the son attaining the age of majority and also due to the applicant having retired.

4. It is submitted on behalf of the applicant that the cost of the treatment clubbed with his other liabilities, is unaffordable in his meagre pension. He has prayed for interim relief during the pendency of the instant OA, seeking continued medical treatment for his son in the light of Ministry of Defence letter no. 18(77)/2017/WE/D(Res-I) dated 08.07.2020 as well as the decision in the case of *Siyaram Choudhary vs. UOI & Ors.* (OA 76/2021, Armed Forces Tribunal, Regional Bench, Mumbai) and in the case of *Hav Awdhesh Kumar vs. UOI & Ors.* (OA 2/2020, Armed Forces Tribunal, Regional Bench, Lucknow).

5. In view of the above, it is directed that the Army Hospital R&R, evaluate the son of the applicant and provide the treatment for the aforesaid disease. In the meantime, respondents may file their counter affidavit.

6. Learned counsel for the applicant is directed to inform the applicant to immediately report to Army hospital R&R.

7. Re-list the matter on 08.09.2025.

8. Copy of this order be given *DASTI* as prayed.

(JUSTICE NANDITA DUBEY)  
MEMBER (J)

(LT GEN C. P. MOHANTY)  
MEMBER (A)