

COURT NO. 2
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA No. 1067 of 2017 WITH MA 809/2017

Smt Indira Othiyil Applicant

Versus

Union of India & Others Respondents

For Applicant : Mr. J. P. Sharma, Proxy for Mr.
Virender Singh Kadian, Advocate

For Respondents : Mr. Prabodh Kumar, Advocate

CORAM:

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

ORDER

1. Invoking the jurisdiction of this Tribunal under Section 14 of the Armed Forces Tribunal Act, 2007 (hereinafter referred to as 'AFT Act'), the applicant has filed this OA and the reliefs claimed in Para 8 are read as under:

"It is therefore humbly prayed that this Hon'ble Tribunal may graciously be pleased to: -

(a) Quash and set aside the impugned letters No. Air HQ/99798/1/262244/DAV PC1) dated 22.05.2017, and/or

(b) Direct the respondents to grant Invalid Pension to the husband of the applicant and thereafter Family

Pension accordingly w.e.f. date of death of her husband i.e., 19.10.2002, and/or

(c) Direct respondents to pay due arrears with interest @ 12 per annum.

(d) Any other relief which the Hon'ble Tribunal may deem fit and proper in the fact and circumstances of the case along with cost against the respondents.

BRIEF FACTS

2. The deceased husband of the applicant was enrolled in the Indian Air Force (IAF) on 03.03.1964 and discharged from service on 26.02.1974 under the clause "on having been found medically unfit for further service in the IAF" and was invalided out from service after having served 09 years and 361 days of regular service. At the time of release, the applicant was suffering from the disability of **SCHIZOPHRENIA** which was held as NANA vide CAD letter no. G3/74/8268/III.

3. The applicant had served a legal notice cum appeal/representation dated 17.04.2017 for the grant of Reservist/Special Pension and family pension. The respondents in reply to the legal notice dated 17.04.2017 declined the claim of the applicant for grant of the disability pension as the same has not been accepted as attributable by

the CDA vide their response dated 16.05.2022. Further vide letter dated 22.05.2019, the grant of family pension to the applicant was also declined stating that the deceased was not in receipt of any pension and thus the applicant was not entitled to family pension as per the extant policy of the Government.

4. Aggrieved by the decision of the respondents, the applicant has filed the instant OA. In the interest of justice, in accordance with Section 21(1) of the AFT Act, we take up the present OA.

CONTENTIONS OF THE PARTIES

5. The learned counsel for the applicant submitted that the applicant's husband was enrolled in the IAF on 03.03.1964 and was invalided out from service in LMC on 26.02.1974 after rendering more than 09 years of service.

6. The learned counsel for the applicant has placed reliance on the judgement of the Hon'ble Supreme Court in the case of ***Dharamvir Singh Vs. Union of India and Ors.*** [2013 (7) SCC 36], that after thorough medical examination the applicant's husband (since deceased) was enrolled into military service and there was no note of any disability

recorded in his service records, and therefore, any disability occurring during the period of his service is deemed to be attributable to or aggravated by military service.

7. The learned counsel for the applicant also placed reliance on the judgment of the Hon'ble Supreme Court in **UOI v. Rajbir Singh (Civil Appeal No. 2904/2011)** whereby it was held that the disability must be presumed to have arisen in the course of service which must, in the absence of any reason recorded by the Medical Board, be presumed to have been attributable to or aggravated by military service. It was further submitted on behalf of the applicant that there is admittedly neither any note in the service records of respondents at the time of the entry of the applicant's late husband into service nor have any reasons been recorded by the Medical Board to suggest that the disease which he was found to be suffering from could not have been detected at the time of his entry into service.

8. The learned counsel for the applicant has also placed reliance on the verdict of the Hon'ble Supreme Court in the case of **Sukhvinder Singh Vs. Union of India (2014 STPL**

(WEB) 468 SC) decided on 25.06.2014, wherein it was observed as under:

“....

We are of the persuasion, therefore, that firstly, any disability not recorded at the time of recruitment must be presumed to have been caused subsequently and unless proved to the contrary to be a consequence of military service. The benefit of doubt is rightly extended in favour of the member of the Armed Forces; any other conclusion would be tantamount to granting a premium to the Recruitment Medical Board for their own negligence. Secondly, the morale of the Armed Forces requires absolute and undiluted protection and if an injury leads to loss of service without any recompense, this morale would be severely undermined. Thirdly, there appears to be no provisions authorising the discharge or invaliding out of service where the disability is below twenty per cent and seems to us to be logically so. Fourthly, wherever a member of the Armed Forces is invalided out of service, it perforce has to be assumed that his disability was found to be above twenty per cent. Fifthly, as per the extant Rules/Regulations, a disability leading to invaliding out of service would attract the grant of fifty per cent disability pension.

....”

9. The learned counsel for the applicant has also placed reliance on the judgment of the Hon'ble Supreme Court in **Ex. Gnr Laxmanram Poonia v. Union of India and Others 2017 (3) SCALE 110, 2017 AIR (SC) 1179**, wherein the Hon'ble SC has held that once a person is enrolled in the military service without recording in any disease or any disability, it has to be presumed that he was in good health and any subsequent deterioration in his health is to be deemed to be attributable to military service.

10. The learned counsel for the applicant has also placed reliance on the judgment of the Hon'ble SC in the case **Union of India v. Manjit Singh 2015 AIR (SC) 2114**, wherein the Hon'ble Supreme Court has held that the provision for payment of disability pension is a beneficial one and ought to be interpreted liberally so as to benefit those who have been boarded out from service even if they have not completed their tenure.

11. The learned counsel for the applicant also relied upon a similar case decided by the AFT (RB) Chennai in **OA No. 49/2014 titled Ex Spr S Rahamathullah v UOI and Ors.**, wherein the applicant was granted the benefit of invalid

pension after service of 09 years 08 months and 21 days which was initially rejected by the PCDA (P) Allahabad.

12. The learned counsel for the applicant also relied upon the decision of this Tribunal No. **TA No. 184/2009 [W.P.(C) No. 9018/2007 of Delhi High Court]** titled **Kulwant Singh Rathi v. Union of India**, wherein this Tribunal vide order dated 11.01.2010 granted the benefit of invalid pension to the applicant upon service of 09 years 05 months and 17 days and condoned a period of 06 months for grant of invalid pension.

13. The learned counsel for the applicant during the course of the hearing restricted the prayer made vide the present OA for the grant of invalid pension only till the death of her husband (the deceased soldier) and grant of Ordinary Family Pension (OFP) thereafter.

14. *Per contra*, the learned counsel for the respondents relied on Regulation 153 of Pension Regulation for the IAF, 1961, Part-I which states to the effect: -

“Unless otherwise specifically provided a disability pension consisting of service element and disability element may be granted to an individual who is invalided out of service on account of a disability which is attributable to or

aggravated by military service in non-battle casualty and is assessed at 20% or over.

However, in the instant case, the disability of the applicant's husband '**SCHIZOPHRENIA**' was considered as neither attributable to nor aggravated (NANA) by military service vide CAD letter no. G3/74/8268/III and thus, the applicant's husband was not entitled for disability pension.

15. The learned counsel for the respondent submitted that all the medical documents in respect of the deceased husband of the applicant have been destroyed as per the Board of Officers (BOO) after stipulated period of retention.

ANALYSIS

16. On the careful perusal of the material available on record and also the submissions made on behalf of the parties, we are of the view that it is not in dispute that the applicant's husband was invalided out and released on medical ground on having been found medically unfit for further service in the IAF on 27.02.1974 in LMC due to the disability '**SCHIZOPHRENIA**' which was assessed by the CAD letter no. G3/74/8268/III as NANA.

17. After perusal of the records produced before us and arguments advanced by either side, we hold that the applicant's husband is entitled to invalid pension, as the applicant's husband was enrolled in the IAF on 03.03.1964 and was invalided out on medical grounds on 26.02.1974.

18. Lest it be contended that the applicant being invalided out after serving 09 years and 361 days, however may not be eligible for getting the invalid pension as per Rule 170 and 172 of the Pension Regulation for the Air Force, 1961, it is apposite to mention the order of the Armed Forces Tribunal (Regional Bench) Lucknow in **Ex. Recruit. Chhote Lal Vs. Union of India & Ors.** in **OA No.368 of 2021**, wherein the MoD letter No. 12(06)/2019/D(Pen-Pol) dated 16.07.2020 has been examined in detail. The said MoD letter is reproduced below:

“Subject: Provision of Invalid Pension to Armed Forces Personnel before completion of 10 years of qualifying service- Reg.

Sir,

1. Government of India, Ministry of Personnel, Public Grievances & pensions, Department of Pension & Pensioners, Welfare vide their O.M 21/01/2016-P&PW(F) dated

12th February 2019 has provided that a government servant, who retires from service on account of any bodily or mental infirmity which permanently incapacitates him from the service before completing qualifying service of ten years, may also be granted invalid pension subject to certain conditions. The provisions have been based on Government of India, Gazette Notification No. 21/1/2016- P&PW(F) dated 04.01.2019.

2. The Proposal to extend the provisions of Department of Pension & Pensioners Welfare O.M No. 21/01/2016 -P&OW(F) dated 12.02.2019 to Armed Forces personnel has been under consideration of this Ministry. The undersigned is directed to state that invalid Pension would henceforth also be admissible to Armed Forces Personnel with less than 10 years of qualifying service in cases where personnel are invalided out of service on account of any bodily or mental infirmity which is Neither Attributable to Nor Aggravated by Military Service and which permanently incapacities them from military service as well as civil reemployment.

3. Pension Regulation of the Services will be amended in due course.

4. The provision of this letter shall apply to those Armed Forces Personnel were / are in

service on or after 04.01.2019. The Cases in respect of personnel who were invalided out from service before 04.01.2019 will not be re-opened.

5. All other terms and conditions shall remain unchanged.

The AFT, Regional Bench, Lucknow Bench while disposing off the OA No. 368 of 2021 has examined Para 4 of the MoD letter dated 16.07.2020 and has held the said Para 4 of the letter as unconstitutional on the grounds that:

“ 20...

letter dated 16.07.2020 fails to meet the aforesaid twin test. The letter arbitrarily denies the benefit of invalid pension to those armed forces personnel, who happened to be invalided out from service prior to 04.01.2020 (ought to be read as 04.01.2019). There cannot be any difference on the ground of invalidment as both in the cases of personnel invalided out before and after 04.01.2020 (ought to be read as 04.01.2019), they faced the similar consequences. In fact, the persons who have retired prior to 04.01.2020 (ought to be read as 04.01.2019) have faced more difficulties as compared to the persons

invalided out on or after 04.01.2020 (ought to be read as 04.01.2019). The longer period of suffering cannot be a ground to deny the benefit by way of a policy, which is supposed to be beneficial. Such a provision amounts to adding salt to injury.

21. ...

22. As per policy letter of Govt. of India, Ministry of Def dated 16.07.2020, there is a cut of date for grant of invalid pension. As per para 4 of policy letter, "provision of this letter shall apply to those Armed Forces Personnel who were/ are in service on or after 04.01.2019". Para 4 of impugned policy letter dated 16.07.2020 is thus liable to be quashed being against principles of natural justice as such discrimination has been held to be ultra vires by the Hon'ble Apex Court because the introduction of such cut of date fails the test of reasonableness of classification prescribed by the Hon'ble Apex Court viz (i) that the classification must be founded on an intelligible differentia which distinguishes persons or things that are grouped together from those that are left out of the group; and (ii) that differentia must have a rational relation to the objects

sought to be achieved by the statute in question.

23. From the foregoing discussions, it may be concluded that the policy pertaining to invalid pension vide letter date 16.07.2020 will be applicable in the case of the applicant also as para 4 of the letter cannot discriminate against the petitioner based on a cut of date.

.....”

19. Furthermore, it is essential to observe that vide judgment dated 07.01.2025 of the Hon'ble High Court of Punjab and Haryana in ***Union of India & Ors. v. No. 8994857B Ex AC UT Sandeep Kumar and Anr.*** in CWP 28422-2023, the cut off date of invalid pension in the GOI-MOD letter dated 16.07.2020 to those only in service on or after 04.01.2019 despite having not completed the minimum qualifying service of 10 years has been held to be arbitrary and without any intelligible differentia or nexus to the object of the said letter. The observations of the Hon'ble HC of Punjab and Haryana in ***Ex AC UT Sandeep Kumar and Anr. (Supra)*** vide Para 14 thereof read to the effect: -

***“14. Conspicuously also when the prescription as made in Annexure P-4, contents whereof become extracted hereinafter, thus on plain reading thereof, after making relaxations in the period of rendition of service, yet makes a cut-off date, vis-a-vis, the applications thereof. However, the prescriptions therein vis-a-vis the apposite cut-off date for the benefits thereof becoming assigned to the concerned, but also is rather arbitrary. The reason for so concluding stems from the factum that since the soldier qua whom the benefits of Annexure P-4, become purveyed when do constitute a homogeneous in-segregable class. Resultantly each member of the homogeneous class was to be co equally endowed the benefits of Annexure P-4. Therefore, the segregations created through Annexure P-4, thus amongst the same class, rather through the makings therein of a cut-off date, and that too when the said cut-off date, is not based on any intelligible differentia nor when it has any nexus with the beneficent thereto objects, but are required to be discountenanced.*”**

***“4. The provision of this letter shall apply to those Armed Forces Personnel who were/are in service on or after 04.01.2019. The cases in respect of personnel who were invalided out from service before 04.01.2019 will not be re-opened.”*”**

20. To this effect, reliance is also placed on para 27 of the order of this Tribunal in **Lt. A.K. Thapa v. Union of India & Ors. in OA 2240/2019**, Para 27 whereof reads as under: -

“...
“

27. In view of the law laid down by the Hon'ble Supreme Court in **Sukhvinder Singh v. Union of India (2014 STPL (WEB) 468 decided on 25.06.2014 (Supra)** and in **Balbir Singh (Supra)** on invalidment, the personnel of the Armed Forces who is invalided out is presumed to have been so invalided out with a minimum of twenty percent disability which in terms of the verdict in **Sukhvinder Singh (Supra)** is to be broad-banded to 50% for life, the incorporation by the respondents vide the MoD letter dated 16.07.2020 of a term of **a necessary permanent incapacity for civil re-employment**, is an apparent overreach on the verdict of the Hon'ble Supreme Court in **Sukhvinder Singh (Supra)**. Furthermore, the

said clause of a requirement of an Armed Forces Personnel to be permanently incapacitated from Military service as well as Civil re-employment is wholly vague and arbitrary and does not take into account the extent of incapacity for Civil reemployment. This is so for the personnel of the Armed Forces who is invalided out with all limbs incapacitated may still have a functional brain and functional voice, may be able to speak, sing, paint and earn a livelihood. The utilization of the words 'permanently incapacitates from civil re-employment, apparently requires a permanent brain-dead armed forces personnel. We thus hold that the requirement of the Armed Forces Personnel 'to be permanently incapacitated from civilian employment as well' (apart from permanent incapacitation from military service) for the grant of invalid pension in terms of the MoD letter No. 12(06) /2019 /D (Pen/Pol) dated

16.07.2020 to be wholly arbitrary and unconstitutional and violative of Article 14 of the Constitution of India which is in Part-III of the Fundamental Rights with the sub heading thereto of 'Right to Equality', and lays down to the effect:-

"14. Equality before law - The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.

Article 21 of the Constitution of India lays down to the effect: -

"21. Protection of life and personal liberty - No person shall be deprived of his life or personal liberty except according to procedure established by law."

21. To this effect, it is essential to advert to the judgment dated 26.11.2024 of the Hon'ble Delhi High Court in in **W.P.(C) 13577/2024** in the matter of **NO 40634Z LT A K THAPA (RELEASED) v. UNION OF INDIA & ORS.** arising out of the decision of this Tribunal in OA No. No. 2240 of 2019 titled **Lt A K Thappa vs. Union of India and Ors.**, wherein the Hon'ble Delhi High Court has upheld the decision of this

Tribunal, for the grant of invalid pension to the applicant, vide Paras 25 and 29 of the Judgment. Paras 25 and 29 of the said judgment respectively read as follows:

“25. The learned AFT also referred to the answers provided by the Commanding Officer of INS Virbahu, Visakhapatnam on 21.09.1982 and found that since 10.02.1982, the petitioner had been performing ‘Sedentary Duties Ashore’ and he was not assigned to a submarine or sailing duties. The learned AFT took note of responses of the said Commanding Officer, stating that petitioner’s disability was neither attributable to nor aggravated by service. It also noted the response of IMB proceedings of March, 1982, that the petitioner’s disability existed before entering the service, thus referring to all of the above, the learned AFT concluded that petitioner’s disability cannot be held to be attributable to nor aggravated by Military service in the peculiar facts and circumstances of the case. The learned AFT, thus, passed a detailed and reasoned Order after noting all the submissions of the parties, the decisions cited before it, as well as the documents produced for its perusal and consequently, granted Invalid Pension to the petitioner, however, not the Disability element of Pension.”

...
...
...

“29. In light of these circumstances, we are constrained to hold that there is no infirmity

in the Impugned Order passed by the learned AFT and it would not be appropriate for this Court to interfere with the order passed by it, specifically when the order passed is well reasoned.”

22. Furthermore, vide judgment ***dated 11.12.2024*** of the Hon'ble High Court of Delhi in ***W.P. (C) 17139/2024***, filed by the Union of India, to assail the ***order dated 07.07.2023 in OA 2240/2019 in Lt. AK Thapa (Released) v. Union of India and Ors.*** has been dismissed, in view of leave to appeal having been granted by this Tribunal vide order dated 17.05.2024 in OA 1721/2024 with MA No. 34608-4609/2023 to assail the order dated 07.07.2023 in OA 2240/2019. The observations in Para 6-11 of the Hon'ble HC of Delhi in W.P. (C) 17139/2024 are to the effect: -

“6. On the other hand, the learned counsel for the respondent, who appears on advance notice, submits that by an Order dated 17.05.2024 passed in M.A. 1721/2024 with M.A Nos. 4608-4609/2023 passed in the above OA by the learned AFT, leave has been granted to the petitioners to assail the Order dated 07.07.2023 passed in the above OA before the Supreme Court.

7. Placing reliance on Section 31(3) of the Armed Forces Tribunal Act, 2007 (in short, 'AFT Act'), he submits that once leave is granted, the appeal is deemed to be pending before the Supreme Court. He submits that; therefore, this Court should not exercise its powers under Article 226 of the Constitution of India to examine the plea raised by the petitioners.

8. We have considered the submissions made by the learned counsels for the parties.

9. Section 31 of the AFT Act reads as under: -

"31. Leave to appeal. — (1) An appeal to the Supreme Court shall lie with the leave of the Tribunal; and such leave shall not be granted unless it is certified by the Tribunal that a point of law of general public importance is involved in the decision, or it appears to the Supreme Court that the point is one which ought to be considered by that Court.

(2) An application to the Tribunal for leave to appeal to the Supreme Court shall be made within a period of thirty days beginning with the date of the decision of the Tribunal and an application to the Supreme Court for leave shall be made within a period of thirty days beginning with the date on which the application for leave is refused by the Tribunal.

(3) An appeal shall be treated as pending until any application for leave to appeal is disposed of and if leave to appeal is granted, until the appeal is disposed of; and an application for leave to appeal shall be treated as disposed of at the expiration

of the time within which it might have been made, but it is not made within that time.

10. Sub Section (3) of Section 31 of the AFT Act, creates a deeming fiction providing that if the leave to appeal is granted by the learned AFT, until the appeal is disposed of, such appeal shall be treated to be pending before the Supreme Court.

11. In the present case, the effect of the Order dated 17.05.2024 passed by the learned AFT, therefore, shall be that the appeal filed by the petitioners to challenge the Order dated 07.07.2023 is pending before the Supreme Court. There cannot be two alternate remedies simultaneously taken by the petitioners to challenge the same order.”

There is no stay granted so far by the Hon'ble Supreme Court of the operation of the order dated 07.07.2023 in OA 2240/2019 of the Tribunal, in ***Lt. AK Thapa (Released) (Supra)***.

23. We find no reason to differ from the law laid down in ***Chhote Lal (supra)*** and in ***A.K. Thapa (supra)***, and we are therefore of the considered view that the applicant's husband was invalided out of service on account of the said disability as he had rendered more than 09 years of service and was invalided out before completing his term of initial engagement.

Therefore, the applicant's husband is held entitled to invalid

pension, despite the fact that he had not completed the qualifying length of service of ten years.

24. Qua the prayer of the applicant for the grant of Ordinary Family Pension, the Pension Regulations for the Air Force, 1961 (Part-1) is silent on the aspect of the grant of Ordinary Family Pension to the Persons Below Officer Rank (PBORs), therefore, in view of the same, the spirit of Regulation 212 of the Pension Regulations for the Army, 1961 (Part-1) is hereby adopted for the purpose of determining the circumstances under which Ordinary Family Pension is admissible. Since all the major pensionary governing regulations in all the three military services i.e., Army, Navy and Air Force are in *pari materia*, therefore, it is essential to advert to **Regulation 212 of the Pension Regulations for the Army, 1961 (Part-1)** (hereinafter 'PRA'). Regulation 212 under clause 2 sub clause (ii) of the Pension Regulations for the Army, 1961 (Part-1) provides for the circumstances under which Ordinary Family Pension is admissible after retirement/discharge of the PBORs. Regulation 212 of the PRA reads as under: -

*"2. Ordinary Family Pension When admissible.
When an individual dies on account of causes,*

which are neither attributable to nor aggravated by Military Service.

- (i) either while in service provided, he had been found fit after successful completion of the requisite training and medical examination for commission or at the time of enrolment in the case of personnel below officer rank.*
- (ii) or after retirement/discharge from services and was on the date of death in receipt of or eligible for retiring/special/Reservist/disability/invalid/War injury pension.***
- (iii) Death due to suckle does not disqualify the heir from ordinary family pension."*

25. In the instant case, since the husband of the applicant was invalided out on medical grounds i.e., "*being mentally unfit for further service in the IAF*" (as provided in Annexure R-1) and at the time of discharge, he was found *unfit* due to low medical category, the husband of the applicant was eligible for the grant of invalid pension at the time of invalidment and has been adjudicated to grant of invalid pension as brought forth in Para 22 hereinabove, and therefore the applicant in accordance with sub-clause (ii) clause 2 of Regulation 212 of Pension Regulations for the Army 1961 is also held entitled for the grant of Ordinary Family Pension from the next date of the death of her husband i.e., 20.10.2002.

26. Significantly, questions (b) and (c) framed by the Larger Bench on 24.04.2018 in **OA 1238/2016 and OA 272/2018** in **Smt. Shama Kaur v. UOI & Ors.** and in **Ex. Nk. Vijay Singh vs. UOI & Ors.** respectively states to the effect:

“(b) Should the application for condonation of deficiency of service ought to be made by the official during his lifetime, if not, within how much time it should be made?”

“(c) Can such an application be filed by the widow of the employee, if so, within how much time it must be done?”

were answered vide para 48 (ii) thereof of the order dated 01.10.2019 therein to the effect:

“48. ...

(ii) Clubbing point of reference (b) and (c), it is held that widows of defence personnel have the right to approach this Tribunal to claim pension or family pension in consequence to the claim of pension qua deceased employees which falls within the definition of “service matter” under the Act and this right is provided by Section 2(2) of the Armed Forces Tribunal Act, 2007. Though there is no applicability of limitation in continuing wrongs and recurring causes of action, the arrears of pension, in the specific cases of condonation of shortfall, would however have to be restricted from 14.08.2001 as already directed in Paragraph 12 of Surender Singh Parmar(supra) which is binding on us. Further, the claims of dual family pension (in addition to the first family pension) would have to be restricted from 24.09.2012, as already provided by Ministry of Defence letter dated 17.01.2013 (supra).”

It is thus apparent that the contention raised by the respondents vide letter 22.05.2019 that as the deceased was

not in receipt of any pension, the applicant too was not entitled to family pension has to be negated.

27. The respondents are thus directed to calculate, sanction and issue the necessary PPO to the applicant within a period of three months from the date of receipt of copy of this order and the amount of arrears for the grant of Invalid Pension and Ordinary Family Pension shall be paid by the respondents, after adjusting the amount already paid towards death cum retirement gratuity and invalid gratuity (as provided in Annexure R-1) failing which the applicant will be entitled for interest @6% p.a. from the date of receipt of copy of the order by the respondents. However, the arrears of the Invalid Pension be paid and Ordinary Family Pension are restricted to commence to run from 03 (three) years prior to the filing of this OA filed on 13.05.2014.

28. MA, if any, stands disposed off accordingly.

Pronounced in the open Court on this ___ day of February, 2025.

[REAR ADMIRAL DHIREN VIG]
MEMBER (A)

[JUSTICE ANU MALHOTRA]
MEMBER (J)

/PRGx/