

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

64.

OA 3022/2023 with MA 4204/2023

MWO (HFO) Dhyan Singh (Retd) Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Madan Pal Vats & Abhay Kant
Upadhyaya, Advocates

For Respondents : Mr. Satya Ranjan Swain, Advocate

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HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE MS. RASIKA CHAUBE, MEMBER (A)

ORDER
06.04.2026

Invoking the jurisdiction of this Tribunal under Section 14 of the Armed Forces Tribunal Act, 2007, the applicant has filed the present Original Application, wherein the reliefs claimed in paragraph 8 read as under:

- (i) To quash/set aside the decision conveyed by the Directorate of Air Veterans. Air Headquarters vide letter No. Air HQ/99798/690573/DAV(DP/CC) dated 18 Aug 2023 (The Impugned/order) conveying that as the individual is discharged/retired from the service, the service conditions which could have worsened the disability also cease to exist. (Annexure-A/1).
- (ii) To direct the respondents to convene the medical board to assess the percentage extent of disability.

(iii) To direct the respondents to pay the applicant disability element of pension if the extent of disability is assessed as 20% or more with effect from 01 Nov 2020.

(iv) To direct a reasonable time frame for convening/conducting of medical board and processing of pension claim if falls due.

(v) To direct the respondents to conduct the resurvey medical board of the applicant in R& R/Base Hospital New Delhi. As the applicant is resident of Delhi/NCR.

(vi) To pass any other or further Order(s) as deemed fit by this Hon'ble Tribunal.

2. As regards Prayer Clauses 8(i) and 8(ii), it has been brought to our notice, by way of a communication dated 19.02.2026 placed on record, that the competent authority has already sanctioned the conduct of a Post Discharge Medical Board to assess the applicant's claim for disability. The said process is presently underway. Learned counsel for the applicant fairly submits that the Medical Board is being conducted at the Base Hospital, New Delhi. In view of the above development, Prayer Clauses 8(i) and 8(ii) stand satisfied.

3. Insofar as Prayer Clauses 8(iii) and 8(iv) are concerned, the same are contingent upon the outcome of the Medical Board proceedings. At this stage, in the absence of any final

determination and merely on apprehension of an adverse outcome we find no justification to keep the matter pending. The respondents are accordingly directed to expedite the conduct of the Medical Board and to communicate the outcome thereof to the applicant at the earliest.

4. It is made clear that in the event any grievance survives after the decision of the Medical Board, the applicant shall be at liberty to seek appropriate remedy in accordance with law.

5. With the aforesaid observations and directions, the OA stands disposed of.

**[JUSTICE RAJENDRA MENON]
CHAIRPERSON**

**[MS. RASIKA CHAUBE]
MEMBER (A)**

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