

**ARMED FORCES TRIBUNAL
REGIONAL BENCH
JABALPUR**

17 July, 2023

CORAM :

**HON'BLE MR JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE LT GEN GOPAL R, MEMBER (A)**

3.

OA 47/2023

**Col Anil Bhargava (Retd),
S/o Shri SR Bhargava,
R/o Plot No 15, A Sector, Raksha Vihar,
Near Mubarkpur Village,
Bhopal - 462031**

.....Applicant

Versus

- 1. Union of India,**
Through the Secretary,
MoD, Govt. of India, New Delhi.
- 2. COAS,**
IHQ of MoD (Army),
DHQ Post Office, New Delhi.
- 3. Adjutant General,**
Adjutant General's Branch,
Army HQ,
DHQ Post Office, New Delhi.
- 4. PCDA (P),**
Draupadi Ghat, Allahabad (U.P)

.....Respondents

For Applicant : Mr Arya Bhatt, Advocate

For Respondents : Mr. Vikram Singh, CGSC

1. Having heard learned counsel for the parties, we find that after rejection of the disability claim by the competent authority on 29.03.2023, in accordance with the policy issued by MoD, Department of Ex-Servicemen Welfare, letter No. 1(3)/2002/D(Pen/Policy) dated 15.02.2010, the applicant has not exhausted remedy of Second Appeal as contemplated in the policy.
2. In view of the above, as already held in various cases, we direct the applicant to file an appeal under the aforesaid policy within one month from the date of receipt of this order and on the same being received, the Competent Appellate Authority, shall dispose off it within six months.
3. With the aforesaid, the matter stands disposed off. Needless to emphasize that in case, the applicant is still aggrieved by the decision of the Appellate Authority, he shall at liberty to proceed in accordance with law.

(LT GEN GOPAL R)
MEMBER (A)

(JUSTICE RAJENDRA MENON)
CHAIRPERSON

A/L