

ARMED FORCES TRIBUNAL, REGIONAL BENCH, KOLKATA

ORDER SHEET

O. A. No. 151/2016

CORAM: HON'BLE DR.(MRS.) JUSTICE INDIRA SHAH, MEMBER (J)

HON'BLE LT GEN GAUTAM MOORTHY, MEMBER (A)

APPLICANT (S) : COL SANJAY MALLICK (RETD)

RESPONDENT (S) : Union of India & Others

Legal Practitioner of applicant Legal Practitioner for Respondent (s)

In person Mr. Arunava Ganguly

	<p><b><u>ORDERS OF THE TRIBUNAL</u></b></p> <p>Order Serial Number : 22 Dated :27.02.2019</p>
	<p>Heard learned counsel for both parties and the departmental representative at length.</p> <p>The crux of this matter lies in three issues.</p> <p>1. Non-granting of Grade Pay from 20<sup>th</sup> December 1993 when the applicant was graded as specialist in anaesthesiology.</p> <p>2. When the applicant was diagnosed with Obstructive Sleep Aponea and was advised to use C-PAP machine, why was no C-Pap machine provided to him for five years when such machine was provided to two other patients in the year 2003/2004.</p> <p>3. There seems to have been an inordinate delay in disposal of the applicant's statutory complaint which was finally disposed after a period of three years when the applicant had retired by then.</p> <p>AAG AFMS (DG Legal Cell) (Additional), Lt Col Rupesh M has been diected by us to produce the CAB letter dated 17<sup>th</sup> June, 2016.</p> <p>List the matter on 08.05.2019.</p> <p>Let a plain copy of this order duly counter-signed by the Tribunal Officer, be supplied to the parties upon observance of requisite formalities.</p> <p>LT GEN GAUTAM MOORTHY) MEMBER(ADMINISTRATIVE)</p> <p>(JUSTICE INDIRA SHAH) MEMBER (JUDICIAL)</p> <p>ug</p>