

FORM NO.4
(SEE RULE 11 (1))
IN THE ARMED FORCES TRIBUNAL, REGIONAL BENCH, KOLKATA

ORDER SHEET

APPLICATION NO: O. A. No.81/2015

APPLICANT (S)

Ex-Rect Sudheer Kumar

RESPONDENT (S)

Union of India & Others

Legal Practitioner for Appellant (s)
Mrs. Susmita Pal

Legal practitioner for Respondents
Mr. Anup Kumar Biswas

<u>ORDERS OF THE TRIBUNAL</u>	
<u>Order Serial Number:</u> 2	Dated : 02.12.2015
<p>Mrs. Susmita Pal, Id. advocate appears for the applicant. Mr. Anup Kumar Biswas, Id. advocate appears for the respondents. Mr. Biswas files memo of appearance which may be taken on record.</p> <p>Being dissatisfied with rejection of prayer for re-instatement, the instant application has been filed. The applicant submits that after rejection of his first appeal claiming for disability pension he went for his treatment in AIIMS Hospital, New Delhi where he has been found fit and pursuant thereto he approached the respondents for his re-instatement which has been rejected vide order dated 08.08.2015. Ld. counsel for the applicant submits that the application may be disposed of by permitting the applicant to file a fresh representation/2nd Appeal before the respondent authorities by annexing the report of the AIIMS Hospital and directing the respondents to consider the same in the light of the AIIMS Hospital report. Ld. counsel for the respondents has no objection to such prayer of the applicant.</p> <p>In view of the above, the applicant is permitted to file an application/2nd Appeal along with the copy of the AIIMS Hospital report to the respondent authorities within a period of fifteen days. The respondents in turn shall decide the same in accordance with law after considering the above medical report of the AIIMS Hospital and after carrying out re-medical examination, if considered necessary and shall pass a reasoned order at the earliest preferably within a period of three months from the date of receipt of the application/2nd Appeal.</p> <p>With the above observation, the application is disposed of.</p> <p>A plain copy of the order, duly countersigned by the Tribunal Officer, be furnished to both sides after observance of usual formalities.</p> <p style="text-align: center;">(Lt Gen Gautam Moorthy) Member (Administrative)</p> <p style="text-align: center;">(Justice N. K. Agarwal) Member (Judicial)</p> <p>ng</p>	