

**FORM NO. - 4**  
**{See Rule 11 (1)}**  
**ORDER SHEET**

ARMED FORCES TRIBUNAL, REGIONAL BENCH, KOLKATA

**APPLICATION NO. : O.A. No. - 114/2016**

**Applicant (s)**

Ex-Rect/Sol GD ManishKumar Hembrom

**Legal Practitioner for Applicant (s)**

Mr. Aniruddha Dutta, Ld. Advocate

**Respondent (s)**

Union of India & Others

**Legal Practitioner for Respondent (s)**

Mr. BK Das, Ld. Advocate

<b>Notes of the Registry</b>	<b>Orders of the Tribunal</b>	<b>Dated : 28.03.2017</b>
	Order Ser. No. : _____ <u>6</u>	

Mr. Aniruddha Dutta, Ld. Counsel appears for the applicant. Mr. BK Das, Ld. Counsel appears for the Respondents. Major Narendra Singh, OIC Legal Cell (ARMY) is also present.

The applicant has filed this OA challenging the order dt. 22.08.2015 whereby and whereunder the prayer for grant of Disability Pension has been rejected by the competent authority. It has been submitted by the Ld. Counsel for the applicant that in the meantime the first appeal has been rejected on 17.06.2016, copy of which has been produced today and placed on record.

Admittedly, the applicant is yet to file any second appeal against the order dt. 17.06.2016.

Govt. of India vide its decision dt. 17.07.2016 has decided to entertain appeal in the past cases, if filed within one year from the said date, as one time measure.

In view of the above, the applicant having filed this OA within the aforesaid period of one year, we dispose of the OA directing the second appellant authority to treat this OA as second appeal and to consider the same and also to pass a speaking and reasoned order within a period of four months from the date of receipt of copy of this order. The order that may be passed shall be communicated to the applicant so that he may approach the appropriate forum if so desired.

This OA (O.A. No. 114/2016) is accordingly disposed of.

No costs.

A plain copy of this order be supplied by the Tribunal Officer to both the parties after observing all usual formalities.

(LT GEN GAUTAM MOORTHY)  
MEMBER (ADMINISTRATIVE)

(MR. JUSTICE BP KATAKEY)  
MEMBER (JUDICIAL)