

ARMED FORCES TRIBUNAL, REGIONAL BENCH, KOCHI

O.A No. 30 OF 2013

TUESDAY, THE 2ND DAY OF APRIL, 2013/12TH CHAITHRA, 1935

CORAM:

HON'BLE MR. JUSTICE SHRIKANT TRIPATHI, MEMBER (J)
HON'BLE LT.GEN.THOMAS MATHEW, PVSM, AVSM, MEMBER (A)

APPLICANT:

EX CFN DARLY JOHN, AGED 56 YEARS,
S/O M.P. JOHN (ARMY NO. 7119488) OF
E.M.E INDIAN ARMY, KANNANTHADATHIL
HOUSE, MARADU P.O, ERNAKULAM,
KERALA – 682304,

BY ADV. SRI. V.K.SATHYANATHAN

versus

RESPONDENTS:

1. UNION OF INDIA, REPRESENTED BY ITS
SECRETARY, MINISTRY OF DEFENCE,
SOUTH BLOCK, NEW DELHI, 110 011.
2. THE CHIEF OF THE ARMY STAFF, COAS'S
SECRETARIAT, INTEGRATED HEAD QUARTERS
OF MINISTRY OF DEFENCE (ARMY) SOUTH BLOCK,
NEW DELHI, 110 011.
3. THE ADDITIONAL DIRECTOR GENERAL PERSONNEL
SERVICES – (PS-4) ADJUTANT GENERAL'S BRANCH,
INTEGRATED H Q OF MINISTRY OF DEFENCE (ARMY)
DHQ P.O, NEW DELHI 110 011.
4. THE SENIOR RECORD OFFICER,
EME RECORDS, PIN 900453, C/O 56 A.P.O.
5. PRINCIPAL CONTROLLER OF DEFENCE
ACCOUNTS (PENSIONS), OFFICE OF THE
PCDA (P), DRAUPADI GHAT, ALLAHABAD,
U.P – 211 014.

BY ADV.SRI.K.M.JAMALUDHEEN, SENIOR PANEL COUNSEL

O R D E R

Shrikant Tripathi, Member (J):

1. Heard Mr.V.K.Sathyanathan for the applicant and Mr.K.M.Jamaludheen for the respondents and perused the record.

2. With the consent of the learned counsel for the parties, the instant Original Application is being disposed of finally at the stage of admission.

3. The relevant facts are that the applicant Ex-Craftsman Darly John No. 7119488 was enrolled in the elite Indian Army on 28th September 1972 and was invalided out of service on 21st November 1978 due to the disability "Anxiety Neurosis". The Medical Board opined that the applicant's disability was 20% for two years which had aggravated due to the military service. Mr.V.K.Sathyanathan next submitted that the matter was pending before the PCDA(P), Allahabad for issue of PPOs since long. The required documents were also forwarded to the PCDA(P),

Allahabad vide the letter dated 13th July 2012 (Annexure A6). Even then no decision has been taken in the matter. He submitted that a direction may be issued to the PCDA (P), Allahabad to take appropriate decision within the time limit fixed by the Tribunal.

4. In view of the aforesaid, the Original Application is disposed of with the direction to the PCDA(P), Allahabad to take appropriate decision on the applicant's request for disability pension within three months from the date of receipt of a copy of this order from the applicant.

5. The applicant is directed to transmit by registered post/speed post a copy of this order along with a copy of the Original Application to the PCDA (P), Allahabad within two weeks from today.

6. There will be no order as to costs.

7. Issue copy of the order to both side.

Sd/-
LT.GEN.THOMAS MATHEW
MEMBER (A)

Sd/-
JUSTICE SHRIKANT TRIPATHI
MEMBER (J)

(true copy)

PrI.Pvt.Secretary