

ARMED FORCES TRIBUNAL REGIONAL BENCH, KOCHI
O.A.NO. 9 OF 2010
TUESDAY, THE 22ND DAY OF JANUARY 2013/2ND MAGHA, 1934
CORAM:
HON'BLE MR. JUSTICE SHRIKANT TRIPATHI, MEMBER (J)
HON'BLE LT.GE.THOMAS MATHEW, PVSM, AVSM, MEMBER (A)

APPLICANT:

EX CADET S.KRISHNA KUMAR,
CADET NO. NYA, INS ZAMORIN,
NAVAL ACADEMY, EZHIMALA.

PRESENTLY RESIDING AT:

CC.8/363 "VISHNU PRASAD",
AJANTHA ROAD, KOCHI,
ERNAKULAM, KERALA – 682 002.

BY ADV.SRI.V.K.SATHYANATHAN

VERSUS

RESPONDENTS:

1. THE UNION OF INDIA,
REPRESENTED BY ITS SECRETARY,
MINISTRY OF DEFENCE,
SOUTH BLOCK, NEW DELHI.
2. THE CHIEF OF NAVAL STAFF,
NAVY HEADQUARTERS,
NEW DELHI – 11.
3. THE COMMANDING OFFICER,
INS ZAMORIN (NAVAL ACADEMY),
EZHIMALA.
4. THE DIRECTOR, DIRECTORATE OF
MANPOWER PLANNING & RECRUITMENT,

INTEGRATED HEAD QUARTERS OF MINISTRY OF
DEFENCE (NAVY), NEW DELHI – 110 011.

5. WING COMMANDER SANDEEP GUPTA,
CLASSIFIED SPECIALIST (ORTHO),
ARMY HOSPITAL (RESEARCH AND REFERRAL),
DELHI CANTT. NEW DELHI – 100 010.
6. COLONEL N.C.ARORA,
SENIOR ADVISOR ORTHO & SURGERY,
MILITARY HOSPITAL, KIRKHEE,
PUNE, MAHARASHTRARASHTRA.
7. COMMANDING OFFICER,
INHS SANJEEVANI,
SOUTHERN NAVAL COMMAND,
KOCHI.

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. It is alleged that The applicant was a Cadet in the Naval Academy, Ezhimala. He is alleged to have sustained an

injury on left knee while playing foot ball on 24th March 2008 and was, as per the opinion of the Doctors, invalided out of Cadets. He has made allegations against the Doctors and has also challenged the opinions given by them. He prays for a direction to the respondents to reinstate him in service.

3. The question, whether the opinions of the Doctors who found the applicant medically unfit to continue in service was correct or not, cannot be examined on the basis of the allegations made by the applicant. We consider it just and expedient to have one more medical examination of the applicant so as to enable us to answer the question and decide the case.

4. The respondents are therefore directed to arrange a fresh medical examination of the applicant expeditiously, preferably within five week from today and require him to appear before the appropriate medical authority/Board on the date, time and place to be fixed and intimated to him.

The opinion of the Medical authority/Board in original may be forwarded to this Bench within two weeks on conclusion of the medical examination

5. List after seven weeks.

6. Issue free copy to the parties, forthwith.

Sd/-

LT.GEN.THOMAS MATHEW
MEMBER (A)

Sd/-

JUSTICE SHRIKANT TRIPATHI
MEMBER (J)

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