

**ARMED FORCES TRIBUNAL, REGIONAL BENCH,
LUCKNOW****ORIGINAL APPLICATION NO 137 of 2017**

Tuesday, this the 16th day of January 2018

Hon'ble Mr. Justice D.P. Singh, Member (J)
Hon'ble Air Marshal BBP Sinha, Member (A)

Awadhesh Kumar Pandey, son of Sri Parmatma Deen Pandey,
resident of village and post Malawan, district Faizabad.

....Applicant

Ld. Counsel for the : **Shri Yash Pal Singh, Advocate.**
Applicant

Verses

1. Union of India through Secretary, Ministry of Defence,
South Block, New Delhi.
2. Additional Director General Personnel Services, Adjutant
General's Branch, Integrated Headquarters of Ministry of
Defence (Army), DHQ PO, New Delhi – 110011.
3. Officer-in-charge, Artillery Records, Nasik Road Camp,
Nasik (Maharashtra), PIN – 422102.
4. Principal Controller of Defence Accounts (Pension),
Allahabad.
5. Commanding Officer, 301 Light Regiment, C/O 99 APO.

.....Respondents

Ld. Counsel for the : **Shri Namit Sharma, Central**
Respondents. **Govt Standing Counsel assisted by**
Maj Salen Xaxa, OIC Legal Cell.

ORDER (ORAL)

1. The present application has been filed under Section 14 of the Armed Forces Tribunal Act, 2007 for grant of service element alongwith disability pension awarded by the respondents.

2. The facts of the case in nutshell are that the applicant was enrolled in the Indian Army on 21.11.1975. During the course of service, he was posted at various places between 1977 to 1986 including the operational area in high altitude in Sikkim from 21.01.1986 to 17.03.1987 and also participated in Operation Savage. Between the year 1986 and 1987, while serving with 3012 Light Regiment, the applicant fell ill due to adverse climatic conditions and was admitted in 178 Military Hospital in the month of September 1986. He was again admitted in 178 Military Hospital in the month of Feb 1987 where he was placed in the medical category CEE (T) for six months with effect from 14.03.1987. While on one hand, the applicant was suffering from various ailments due to adverse climatic and service conditions, on the other hand physical condition of his wife at home was deteriorating on account of acute Epilepsy and there was no one to take care of her at home. Looking to her

worsening condition, the Applicant applied for premature retirement vide Application dated 06.02.1987 before completion of tenure. It is stated, the aforesaid application of the applicant was not acted upon. However, in the meantime, medical category of the applicant was lowered down to CEE (P) by the Medical Board held on 08.05.1987 at the Military Hospital Devlali for the disability "SCIATICA (RT). The aforesaid Medical Board assessed the disability as 20% for two years while opining that the disability was aggravated due to stress and strain of service. Part II order was published on 23.06.1987 relating to the physical condition of the applicant. The Applicant again moved application dated 23.06.1987 after being de-categorised permanently on medical ground in which authorities were solicited for sanctioning his premature retirement with pensionary benefits as admissible under the rules. The applicant again moved an application dated 26.06.1987, in which he prayed for discharge on medical ground instead of at his own request. However, the applicant was discharged from service on 06.07.1987 citing it "on his own request". Thereafter, he preferred several representations for grant of disability pension submitting that he had served the Army for more than 11 years and that before discharge he was placed in

medical category CEE (P) by the Medical Board but all the representations yielded the intimation that since he was discharged on compassionate ground in terms of Rule 13 (3) Item III (iv) of the Army Rules 1954, he was not entitled to disability pension. Feeling aggrieved, the applicant filed a writ petition in the High Court at Lucknow Bench vide Writ Petition No 820 (S/S) of 1993. The said writ petition culminated in being dismissed. The said dismissal order was assailed by the Applicant by filing Special Appeal vide Special Appeal No 247 of 2008. In the Special Appeal aforesaid, the applicant was called upon by the respondents by letter dated 05.04.2010 to submit certain documents and information for consideration of his case for grant of disability pension and in that regard, the applicant submitted the required documents and information through the office of Zila Sainik Kalyan Evam Punarvas Faizabad to the officer incharge, Artillery Records by letter dated 27.08.2010. By letter dated 06.09.2010, the Senior Record officer, Artillery Records informed the applicant that since a court case is lingering for grant of disability pension, the PCDA (P) Allahabad has returned his claim vide letter dated 02.06.2010 asking for Government sanction/approval. The Applicant was also informed that his claim had already been submitted to

the Integrated Headquarters of Ministry of Defence (Army) on 03.09.2010 for examination and further direction and outcome would be intimated as and when received. By means of letter dated 31.01.2011 issued by the office of Additional Director General, Personnel Services, Adjutant General's Branch, Integrated Headquarters of Ministry of Defence (Army), the applicant was intimated that the sanction of the Government regard grant of disability element to the applicant at the rate of 20% for two years with effect from 07.07.1987 had been accorded and convenng of Reassessment Medical Board has been ordered to assess present disability of the applicant. Thereafter PPO dated 15.02.2011 was issued vide letter dated 28.02.2011 providing disability element for two years from 07.07.1987 to 06.07.1989. In observance of the Government sanction and direction, Reassessment Medical Board was held on 28.11.2011 in the Military Hospital Bareilly which assessed the disability at 20% for life. Senior Record officer, Artillery Records vide letter dated 16.06.2012 forwarded service and medical documents relating to the applicant to the office of PCDA (P) Allahabad for grant of disability pension and issue of PPO. In consequence, the PCDA (P) Allahabad issued PPO dated 09.07.2012 paying disability element

alongwith arrears. However, since benefit of rounding off was not granted, the applicant made various applications requesting to provide the benefit of rounding off. However, the request of the applicant for rounding off was processed but the same was declined vide communication dated 03.03.2014 mainly on the ground that he was discharge before 01.01.1996 on compassionate ground. During pendency of Special Appeal, the Applicant preferred O.A seeking direction to the respondents to grant benefit of rounding off and also service element of pension which was registered as Misc Application No 979 of 2013. However, the said Application was dismissed vide order dated 26.05.2015 by giving liberty to the applicant to file a fresh petition. The Special Appeal pending before the High Court was also dismissed with the liberty to raise the claim before the Tribunal.

3. The learned counsel for the Applicant invited our attention to Pension Regulation 179 and 183 attended with submission that the applicant was entitled for service element alongwith disability pension as well as for rounding off of disability for the reason that Medical Board had assessed his disability as 20%. Our attention has further been invited to a judgment of Delhi High Court which admittedly has been affirmed by the Apex

Court vide judgment in **Mahavir Singh Narwal Vs Union of India and Anr delivered on 05.05.2004 reported in 111 (2004) DLT 550**. In the said judgment, the Division Bench held that even-if disability is 20% and a person is discharged from service, he shall be deemed to have been invalidated out from service and shall be entitled to disability pension with service element. On the other hand, learned counsel for the respondents submits that a person, who has sought and proceeded on premature or voluntary retirement, shall not be entitled to service element. It is further argued that minimum qualifying service of 15 years is necessary for grant of service element. The learned counsel for the Applicant invited our attention to Regulation 61 of the Service Regulation according to which service element shall not be provided in case a person is invalidated out from service having less than 20% of disability. Our attention has been further invited to Regulations 173, 179 and 183.

4. We have heard learned counsel for the parties and perused the material facts on record.

5. In the present case, the question that emerges for consideration is whether the applicant is entitled to service element alongwith disability pension in the light

of Regulations 179 and 180. Regulation 179 being relevant is quoted below for ready reference.

"179. An individual retired/discharged on completion of tenure or on completion of service limits or on completion of terms of engagement or attaining the age of 50 years irrespective of their period of engagement), if found suffering from a disability attributable to or aggravated by military service and recorded by Service Medical Authorities, shall be deemed to have been invalided out of service and shall be granted disability pension from the date of retirement, if the accepted degree of disability is less than 20 per cent or more and service element if the degree of disability is less than 20 per cent. The service pension/ service gratuity, if already sanctioned and paid, shall be adjusted against the disability pension/service element, as the case may be.

(2) The disability element referred to in clause (1) above shall be assessed on the accepted degree of disablement at the time of retirement/discharge on the basis of the rank held on the date on which the wound/injury was sustained or in the case of disease on the date of first removal from duty on account of that disease.

Note: *In the case of an individual discharged on fulfilling the terms of his retirement, his unwillingness to continue in service beyond the period of his engagement should not affect his title to the disability element under the provision of the above regulation.*

6. A perusal of the Regulation 179 indicates that if a person is found suffering from disability attributable to or aggravated

by military service and recorded by medical authority, shall be deemed to have been invalided out from service and shall be granted disability pension from the date of retirement, if accepted degree of disability is 20% or more and service element if degree of disability is less than 20%. Regulations 180 and 183 being relevant are quoted below.

180. *The rank for the purpose of assessment of service element and disability element of disability pension, shall be the substantive rank or higher paid acting rank, if any held by the individual on any of the following dates, whichever is most favourable:*

(a) the date of discharge/Invalidment from service, or

(b) the date on which he/she sustained the wound or injury or was first removed from duty on account of a disease causing his disablement; or

(c) if he/she rendered further service and during and as a result of such service suffered aggravation of disability, the date of the later removal from duty on account of the disability.

NOTE: *In the case of an individual who on account of misconduct or inefficiency is reverted to a lower rank subsequent to the date on which the wound or injury was sustained or disability contracted, the rank for assessment of service and disability elements of pension shall be the rank held on the date of invaliding from service.*

“183. The disability pension consists of two elements viz. Service element and disability elements which shall be assessed as under:

(1)

Service element

(a) Where the individual has rendered sufficient service to earn a service pension i.e. actual service is 15 years or more (20 years or more in the case of NCs (E).	(i) Equal to normal service pension relevant to the length of qualifying service actually, rendered, plus a weightage of 5 years as given in Regulation 136 (a) or 146.
(b) Where the individual has not rendered sufficient service to qualify for a service pension.	(i) if the disability was sustained while on flying or parachute jumping duty in an aircraft or while being carried on duty in an aircraft under proper authority. The minimum service pension appropriate to his rank (see regulation 180) and group, if any. (ii) In all other cases: Equal to the service pension as determined per Regulation 136 (a) or 146, but it shall in no case, be less than 2/3 rd of the minimum service pension admissible to the rank/pay Group. It shall be further subject to minimum of Rs. 375/- p.m.

Note:- With effect from 28th November 1962 and for so long as similar orders exist in respect of Central Civil Government servants the provisions of clause (i) above shall also apply to flights in non-service Civil or Chartered aircraft.

(2) Disability element

For 100 per cent disablement the rates of disability element will be as follow:-

Rank	Disability element
JCOs granted Honorary Commission while on the	Rs. PM 750/-

<i>effective list.</i> <i>JCOs other Ranks/NCs (E)</i>	<i>550/-</i>
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For lower percentages of disablement down to 20 per cent the rates will be proportionately reduced.

Provided that where permanent disability is not less than 60%. The disability pension (ie. Total of service element and disability element) shall not be less than the special family pension admissible vide Regulation 227 (b) ie.... it shall not be less than 60% of the reckonable emoluments. Subject to a minimum of Rs. 750/- P.M. and maximum of Rs. 2,500/- p.m. (Auth .. MD letter No 1(5)/87/\$ (Pension/Services) dated 30.10.87).

In case where an individual is invalidated out of service before completion of his prescribed engagement/service limit on account of a disability which is attributable to or aggravated by military service and is assessed below 20 per cent, he will be granted an award equal to service element of disability pension determined in the manner given in Regulation 183 Pension Regulations for the Army Part I (1961), read with Appendix 'A' to AOI 1/5/75 and Annexures I & II to AI 3/5/75. This benefit will also be allowed in all cases where an individual is granted disability pension but whose degree of disablement subsequently falls below 20 per cent.

Note:- In the case of a re-employed pensioner who was in receipt of pension in addition to pay and allowances under regulation 120 and clause (b) of regulation 121 only disability element will be admissible in addition to the service pension already in issue."

7. A plain reading of the foresaid Regulations shows that so far as service element is concerned, it shall be assessed keeping in view that individual has rendered sufficient service to earn service pension that is actually is 15 years or more and where the individual has not rendered sufficient service to qualify for service pension. Both the conditions (a) and (b) are

liable to be considered while dealing with the matter. In the second column, it is provided that equal to normal service pension relevant to the length of qualifying service actually, rendered, plus a weightage of 5 years as given in Regulation 136 (a) or 146. Further if the disability was sustained while parachute jumping duty in an aircraft or while being carried on duty in an aircraft under proper authority, the minimum service pension appropriate to his rank (see regulation 180) and group, if any. In all other cases: Equal to the service pension as determined per Regulation 136 (a) or 146, but it shall in no case, be less than $2/3^{\text{rd}}$ of the minimum service pension admissible to the rank/pay Group. It shall be further subject to minimum of Rs. 375/- p.m.

8. Subject to the above, reliance has been placed on regulation 61 and 173 which being relevant are quoted below.

"61. (1) An individual who is invalided out of service with a disability attributable to or aggravated by service but assessed at below 20 percent, shall be entitled to service element only.

(2) An individual who was initially granted disability pension but whose disability is re-assessed at below 20% subsequently, shall cease to draw disability element of disability pension

from the date it falls below 20 percent. He shall, however, continue to draw the service element of disability pension.

X x x x x x x x x

173. Unless otherwise specifically provided a disability pension consisting of service element and disability element may be granted to an individual who is invalided out of service on account of a disability which is attributable to or aggravated by military service in non battle casualty and is assessed 20 percent or over.

The question whether a disability is attributable to or aggravated by military service shall be determined under the rule in Appendix II.

9. On the face of record, regulation 61 provides that an individual who is invalided out of service, with a disability attributable to or aggravated by service but assessed at below 20 percent shall be entitled to service element only and an individual who is initially granted disability pension but whose disability is assessed below 20% subsequently shall cease to draw disability element of disability pension from the date it falls below 20%.

10. Likewise Regulation 173 (supra) provides that disability pension consisting of service element and disability element may be granted to individual who is invalided out of service on account of disability which

is attributable or aggravated by military service in non battle casualty and is assessed 20% or over.

11. On the face of record, the provisions contained in Regulations 173 confers a right to the applicant to receive service element alongwith disability pension. The Regulation aforesaid is quite clear and has used the expression "with disability assessed 20% or over". Admittedly, in the present case, the applicant disability has been assessed as 20% which is minimum requirement under Regulation 173. Hence, there appears to be no hurdle in granting of service element to the applicant keeping in view the provisions of Regulations 173, 180 and 183.

12. Coming to second limb of argument advanced by learned counsel for the respondents that the Applicant had discharged on compassionate grounds voluntarily coupled with the fact that he has not rendered 15 years of service. So far as question with regard to voluntary retirement is concerned, this question is no more res integra. The Principal Bench of Armed Forces Tribunal at Delhi presided over by Chairperson Hon Justice A.K.Mathur has dealt with the matter in their Lordship's judgment dated 07.02.2012 holding that even a premature retiree shall be entitled for disability

pension. The relevant portion of the said decision is reproduced below.

"5. Factual and legal position has been admitted by Mr. A Bhandari, Ld. Adv. for the respondents. Relevant portion of the aforesaid judgment of the Principal Bench in case of Lt Col Ajay Wahi (SLP No. 25586/2004, Civil Appeal No. 1002/2006) is reproduced hereunder:-

GRANT OF DISABILITY PENSION TO PREMATURE RETIREMENT CASES PROCEEDING ON DISCHARGE PRIOR TO 01 JAN 2006.

- 1. Further to this office note No. A/39022/Misc/AG/PS-4 (Legal) dt 22 Feb 2010 on subject matter.*
- 2. It is clarified that as and when a pre-2006 retiree PRPROB files a court case to claim disability pension which was denied to him merely because he had proceeded on Pre-Mature Retirement, such cases will be immediately processed for Government Sanction through respective Line Dtes and Not contested. Government Sanctions in which cases will also be proposed in the same manner as that followed in cases of Government Sanctions issued in compliance of court cases.*
- 3. This arrangement will be affective till MoD/D (Pen/Legal) formulated and issues comprehensive Govt orders.*
- 4. It is reiterated that only those cases where disability pension was denied to a PBOR solely on the grounds that he had proceeded on PMR*

will be processed for sanction and will not be contested which implies that as and when a PBOR files a case of similar nature their case files will be processed for Govt sanction without awaiting court order.

5. *Contents of this letter are not applicable to offers as PRA, Rule 50 has been upheld by Hon'ble Supreme Court in judgment dt 06 July 2010 in case of Lt Col Ajay Wahi (SLP No. 25586/2004, Civil Appeal No.1002/2006.*
7. *All times Dts are requested to give vide publicity to this letter amongst all Record Offices.*

(Ajay Sharma)

Col

Dir, Ag/PS-4 (Legal

For Adjutant General

6. *Admittedly in view of subsequent circular regarding entitlement of pension there appears to be no room of doubt that applicant shall be entitled for disability pension, even in the event of premature retirement. Hence it should be considered expeditiously. As regards war injury pension the claim of the petitioner is based on circular dated 31.01.2001, a copy of which is filed as Annexure SI to the first supplementary affidavits.*
7. *Ld. Counsel draws our attention to Para-10 which deals with war injury. The applicant was not invalidated on account of any war injury. Attention has also been invited to Para-12 regarding payment of lump sum compensation*

in lieu of war injury pension. For convenience it is reproduced below:-

11.2 "Lump Sum Compensation in lieu of War Injury Pension.

In case an Armed Forces Personnel is found to have a disability which is sustained under the circumstances mentioned in category 'E' in Para 4.1 above which is assessed at 20% or more for life but the individual is retained in service despite such disability and opts for lump sum compensation, he shall be paid the lump sum compensation in lieu of war injury element. The rates for calculation of lump sum compensation in lieu of war injury element for 100% disability for life will be as under:-

<i>(a)</i>	<i>Commissioned Officer an Hony, Commissioner Officer of the three services, MNS, TA & DSC</i>	<i>Rs. 5200/-</i>
<i>(b)</i>	<i>JCOs and equivalent ranks of the Air Forces, Navy, TA and DSC</i>	<i>Rs. 3800/-</i>
<i>(c)</i>	<i>Other ranks/ NCs (E) and equivalent rank of Air Force, Navy, TA and DSC</i>	<i>Rs. 3100/-</i>

For disability due to war injury of less than 100% the rates shall be proportionally reduced. The one time compensation in lump sum in lieu of War Injury element will be equal to the capitalized value of War injury element which shall be calculated in accordance with regulation 344 of the Pension Regulations for the Army (and similar corresponding provisions in the

Pension Regulation for the Air Force and the Navy) and will be equal to the capitalized value of war injury element for the actual percentage of the disability of the appropriate rate mentioned in Para 1102 above. For this purpose, the rank shall be rank held at the time of injury sustained by the individual due to war. Age next birthday will be reckoned with reference to the date of onset of disability with loading to age if any, recommended by the competent Medical Board.

Compensation in lieu of war injury element will be payable provided the degree of disablement is equal to or more than 20%. Once the compensation in lieu of war injury element due to disability for life has been paid, there shall be no further entitlement on account of such a disability at the time of retirement/discharge from the Armed Forces. Since this is one time payment on account of compensation, no restoration will be permitted."

8. A plain reading of Para 11.2 shows that Armed Forces personnel shall be entitled for war injury pension when suffered disability which is sustained in the circumstance mentioned in Category 'E' of Para 4.1 which is assessed at 20% or more for life but individually retained in service despite such disability and opts for lump sum compensation.

9. Category E of Para 4.1 deals with the situation when war injury pension may be given to Armed forces personnel. For convenience, Category 'E' is reproduced below:-

"Category E

Death or disability arising as a result of:-

(a) Enemy action in international war.

- (b) *Action during deployment with a peace keeping mission abroad.*
- (c) *Border skirmishes.*
- (d) *During laying or clearance of mines including enemy mines as also minesweeping operation.*
- (e) *On account of accidental explosions of mines while laying operationally oriented mine-field or lifting or negotiating minefield laid by enemy or own forces in operational areas near international borders or the line of control.*
- (f) *War like situations, including cases which are attributable to/aggravated by:-*
 - (i) *Extremists acts, exploding mines etc, while on way to on way to an operational area.*
 - (ii) *Battle inoculation training exercises or demonstration with live ammunition.*
 - (iii) *Kidnapping by extremists while on operational duty.*
- (g) *An act of violence/attack by extremists, anti-social element etc.*
- (h) *Action against extremists, antisocial elements, etc death/while employed in the aid of civil power in quelling agitation, riots or revolt by demonstrators will be covered under this category.*
- (i) *Operations specially notified by the Govt. from time to time.*

10. Condition dealt with by Category 'E' seems to relate to a situation when Armed Forces personnel

suffer injury on account of some unexpected war like situation or during course of war or like situation. It does not seem to deal with the situation where duty is discharged by Armed Forces personnel in routine manner. Needless to say, disability aggravated or attributable on account of regular discharge of duty has been properly dealt with and benefit had been granted by relevant provisions dealing with disability pension. The war injury pension deals with special circumstances as provided under Category 'E' where Armed Forces personnel suffer injury in special circumstances. Disability aggravated by routine discharge of duty is very well covered by Defence rule, circulars and orders under the Head of Disability Pension."

13. A plain reading of the aforesaid judgment of the Division Bench of Armed Forces Tribunal at Delhi relying upon a decision of Armed Forces Tribunal at Kolkata shows that a member of the Armed Forces shall be entitled for disability pension even if he or she is retired prematurely or voluntarily, by placing credence on various decisions of the Apex Court as evident from the perusal of the observations made hereinabove.

14. Now coming to other limb of arguments with regard to service element, the Delhi High Court Judgment relied upon by learned counsel for the applicant while considering the matter of disability

pension held that a person who retires prematurely shall be entitled to disability. It was also held by the Delhi High Court that a premature retiree shall also be entitled to disability pension if he is in lower medical category & otherwise eligible for disability pension. The argument advanced by learned counsel for the respondent that voluntary retiree shall not be entitled for service element seems to be not sustainable. We are in respectful agreement with the ratio flowing from the judgment of Delhi High Court.

15. Once it is held that a premature retiree in low medical category shall be deemed to be invalided out of service by judicial pronouncement, it is a fiction of law and substitute of contrary provisions contained in Army Regulations, order or Instructions. The Courts have ample power to pass appropriate order and provide safeguards in absence of vacuum to protect the settled right under Article 21 and Article 14 of the Constitution of India. The Hon'ble Supreme Court has consistently held that right to life includes right to livelihood. Hence in the matter of payment of disability pension, the respondents have no right to classify payment of service element due to the fact that a person is voluntarily discharged or have rendered not rendered a certain period of service required for

regular pension i.e 15 years or more. Much water has flowed down the river Ganges and still old instructions are occupying the field. We fail to understand how any regulation may postulate to delete service element where disability pension with disability element is paid. The payment of service element co-relate with service rendered by the members of the Armed Forces in their respective Branches. Once the Supreme Court has settled the law that a person who has joined the Armed Forces shall be entitled for disability pension no matter whether it is voluntarily or invalidated out or after attaining the age of superannuation, then putting a rider with regard to service element appears to be hit by Article 14 of the Constitution and not in consonance with Article 14 read with Article 21 of the Constitution of India. It shall be appropriate that the respondents may make appropriate amendment in tune with the catena of decisions of the Apex Court to grant service element alongwith disability pension.

16. Admittedly, service element includes additional perks in addition to amount paid as disability element. It shall be unconstitutional to deny the service element of disability pension merely on the ground that he or she had not rendered 15 years of service or had not been invalidated out from service. Once the Apex Court

held that even the premature retiree shall be entitled to disability pension, then it shall not be justified to delete service element out of disability pension as it shall affect the fundamental rights of any incumbent guaranteed under Article 21 of the Constitution. Such clarification shall be bad in law and have no nexus with the objects sought to be achieved in view of leading judgment in Ajai Hasia's case.

17. Even if we do not supply the vacuum, such action on the part of the respondents denying the service element shall be hit by Article 14 read with Article 21 of the Constitution of India since there is no nexus with the objectives sought to be achieved within the four corners of fundamental rights guaranteed in Article 14 of the Constitution of India.

18. In view of the above, we are of the view that the Applicant is entitled to service element alongwith disability pension and O.A deserves to be allowed.

19. As a result of foregoing discussions, the O.A is allowed with all consequential benefits and the impugned orders are set aside. The Applicant shall be entitled to service element of disability pension from the date the disability pension has been paid with arrears of difference of payment within four months

from the date of production of a certified copy of this order.

20. It is further held that the applicant is entitled to disability at the rate of 20% which on being rounded off would come to 50%. The applicant shall be paid the disability pension at the rate of 50% from the date of discharge. The same shall be paid within four months from the date of production of a certified copy of this order.

20. No order as to costs.

(Air Marshal BBP Sinha)
Member (A)

Dated: 16 January, 2018

MH/-

(Justice Devi Prasad Singh)
Member (J)