



attributable to military service. As a result of the recommendation made by the Medical Board, the Appellant was discharged from service on 4.10.1983. The claim made by the appellant for disability pension was rejected on 20.4.1984. The appeal preferred by him was also not entertained. The Army Headquarters affirmed the order of rejection of disability pension. The Armed Forces Tribunal, Regional Bench, Lucknow ('the Tribunal') did not accept the contention of the Appellant that he is entitled to disability pension as the disease he was suffering from was not attributable to military service.

We have perused the records and we are convinced that the recommendation made by the Medical Board, that the disease suffered by the Appellant is constitutional and cannot be attributable to military service.

Therefore, we uphold the judgment of the Tribunal. The appeal(s) is/are accordingly, dismissed.

.....J.  
( L. NAGESWARA RAO )

.....J.  
( HEMANT GUPTA )

New Delhi,  
Dated: November 29, 2019

ITEM NO.42

COURT NO.11

SECTION XVII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

C.A. D 42127/2015

SUBHASH CHANDRA DAS S/O LATE MANORANJAN DAS

Appellant(s)

VERSUS

UNION OF INDIA AND ORS.

Respondent(s)

(FOR ON IA 1/2016 )

Date : 29-11-2019 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO  
HON'BLE MR. JUSTICE HEMANT GUPTA

For Appellant(s)

Dr. Santokh Singh, Adv.  
Mr. Tilak Raj Pasi, Adv.  
Mr. Satyapal Khushal Chand Pasi, AOR  
Mr. R.K. Pande, Adv.

For Respondent(s)

Mr. Rajnish Prasad, Adv.  
Mr. Amit Verma, Adv.  
Ms. Manjula Gupta, Adv.  
Mr. Arvind Kr. Sharma, AOR

UPON hearing the counsel the Court made the following  
O R D E R

Leave to appeal is granted.

The appeal(s) is/are dismissed in terms of the  
Signed Order.

Pending application(s), if any, stand disposed of.

(GEETA AHUJA)  
COURT MASTER (SH)

(ANAND PRAKASH)  
BRANCH OFFICER

(The Signed Order is placed on the file)