

**T.A. No. 360/2010**

**[W.P. (C) No. 5484/2007]**

**12.08.2010**

**Present:** Sh. D.S. Yadav, Advocate, counsel for the petitioner.

Ms. Jyoti Singh with Ms. Tinu Bajwa, Advocate, counsel for the respondents.

Heard learned counsels for the parties.

Petitioner was selected in Indian Navy on 03.08.2005 and was invalided out from service on 30.11.2005 when the Medical Board found that he had Congenital Depressed Skull Bone (Left) and assessed his disability as 1% permanent for life long. It was further found that this disease neither attributed nor aggravated by the Navy service.

Looking to the fact that disability was detected within three months and neither it would make him good soldier nor he would be able to face hazards of the Naval duty, we do not find any reason to interfere in the matter. Same is dismissed. No order as to costs.

**A.K. MATHUR**  
**(Chairperson)**

**Z.U. SHAH**  
**(Member)**

**New Delhi**  
**August 12, 2010**