

service under this regulation (supra). Learned Counsel, for the applicant, has also requested that Re Survey Medical Board (RSMB) be held for the applicant.

4. OIC, AFT Legal Cell, has requested some more time to get clarification on Clause 173 A of Pension Regulation for Army 1961 Part I. In so far as holding of RSMB is concerned, we feel that since the applicant was discharged from service 28 years ago and he is of 64 years of age as on today, no useful purpose will be served holding RSMB as it would not be able to indicate the medical state or appropriateness of percentage of disability that was obtaining in 1990. Hence, the request for holding RSMB is turned down.

5. Be that as it may, list the case in the month of September, **2018**, whenever a division bench will assemble, so that the clarification may be obtained by the OIC, AFT, Legal Cell and be submitted before this Tribunal.

MEMBER (A)

MEMBER (J)

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