

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

206

CWP No.17336 of 2013
Date of Decision: 15.01.2015.

Sampuran Chand

.....Petitioner

Versus

Union of India & others

.....Respondents

**CORAM:HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr. Rakesh Bakshi, Advocate
for the petitioner.

Mr. Naveen Chopra, Advocate
for respondents.

1. ***Whether Reporters of local papers may be allowed to see the judgment ?***
2. ***To be referred to the Reporters or not ?***
3. ***Whether the judgment should be reported in the Digest?***

SURYA KANT, J. (ORAL)

Learned counsel for the petitioner states that this case was listed along with **CWP No.7277 of 2013** titled as **Umed Singh vs. Union of India and others** for hearing, due to which he could not appear on some of the dates. The order passed on the previous date thus stands explained.

The order dated 15.02.2012 (Annexure P-1) passed by the Armed Forces Tribunal, Regional Bench, Chandigarh, dismissing the petitioner's Original Application, is under challenge in the instant writ petition.

The controversy pertains to the petitioner's claim for disability pension.

We have heard learned counsel for the parties and perused the record.

In our considered view the matter requires reconsideration at the hands of the Tribunal firstly for the reason that the impugned order dated 15.02.2012 is not a reasoned order and it hardly assigns any reason to dislodge the petitioner's claim.

Secondly, the view taken by this Court in Umed Singh's case (supra) can have some bearing on the merits of the instant case. Thirdly, the petitioner's claim for clubbing the service rendered by him in the Army, Territorial Army and Defence Security Corps, too needs to be adjudicated on merits.

There are some other issues also raised by learned counsel for the parties, which would require the Tribunal's consideration.

For the foregoing reasons, we allow this writ petition; set aside the impugned order dated 15.02.2012 (Annexure P-1) and remit the case to the Armed Forces Tribunal, Chandigarh Regional Bench at Chandimandir, to decide the same afresh keeping in view the observations made hereinabove.

We request the Tribunal to decide the petition within a period of three months from the date of first appearance of the parties.

The parties are directed to appear before the Tribunal on 19.02.2015.

(SURYA KANT)
JUDGE

15.01.2015
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(RAJ MOHAN SINGH)
JUDGE