

2024:PHHC:121663-DB



IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH.

CWP-8008-2022  
Date of Decision : 16.09.2024

DARSHAN SINGH .....Petitioner

Versus

UNION OF INDIA AND OTHERS .....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR  
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present : Mr. Navdeep Singh, Advocate  
for the petitioner.

Mr. Anil Chawla, Senior Panel Counsel  
for the respondent/UOI with Major Partho Katyayan.

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SURESHWAR THAKUR, J. (Oral)

1. The counsels appearing before this Court are ad idem that though in the impugned order, an apt reference was made to the apposite application of judgments rendered by the *Larger Bench of Armed Forces Tribunal, Principal Bench, New Delhi in the case of O.A. No. 1238 of 2016 with MA No. 923 of 2016 titled Smt. Shama Kaur Vs. Union of India and Others decided on 01.10.2019.*

2. Moreover, they are further ad idem that the principle of law, as stated therein has not been applied, inasmuch as, contra to the principle of law stated therein, rather in the impugned order, the arrears of pension have been restricted to three years prior to the date of

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3.           Given the above ad idem statement made at the bar, by the  
counsels appearing before this Court today, and in the larger interest of  
justice, the operative part of the impugned order, whereby the arrears of  
pension have been restricted to three years prior to the date of filing of  
the present O.A. i.e. 23.03.2021, is quashed and set aside.
4.           However, subsequently the *lis* is remanded to the learned  
Armed Forces Tribunal, for making a complete re-hearing of the entire  
matter and to lawfully decide the same within six months from today.
5.           Disposed of accordingly.

(SURESHWAR THAKUR)  
JUDGE

(SUDEEPTI SHARMA)  
JUDGE

16.09.2024

kavneet singh

|                           |   |        |
|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |