



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

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CWP-7118-2025

Date of Decision: 02.09.2025

Bhupinder Singh

....Petitioner

Versus

The Union of India and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Mr. Sandeep Bansal, Advocate
for the petitioner.

Mr. Rohit Verma, Senior Panel Counsel
for the respondents – UOI.

Harsimran Singh Sethi, J. (Oral)

1. In the present petition, the challenge is to the impugned order dated 29.05.2024 (Annexure P-1) passed by respondent No.5-Armed Forces Tribunal, Regional Bench, Chandigarh (hereinafter referred to as 'Tribunal'), by which, the claim of the petitioner for grant of disability pension, was dismissed, only on the ground of delay which is causing him prejudice.

2. Learned counsel for the petitioner submits that when he was enrolled in the Navy i.e. on 03.08.1994, he was examined to be medically fit and further went for difficult training and was further posted as SEA-II and



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while on duty he fell sick and suffered the disability of “*Neurosis (Anxiety) State ICD 300 AND IVP ICD 394*”, which were assessed as 30% due to which he was invalidated out hence, the rejection of the claim of the disability pension by the Tribunal only on the ground of delay is incorrect.

3. We have heard learned counsel for the parties and have gone through the record with their able assistance.

4. It may be noticed that learned counsel for the parties concedes the fact that the issue raised in the present petition is covered by the judgment of the Hon’ble Supreme Court of India in ***Bijender Singh versus Union of India and others, 2025 SSC OnLine SC 895.***

5. Learned counsel for the respondents is not in a position to cite any contrary judgment but, submits that under any circumstances, the arrears which has to be extended to the petitioner are to be restricted for a period of three years keeping in view of the delay.

6. Learned counsel for the petitioner submits that the petitioner has no objection in case the arrears are restricted to a period of three years prior to the filing of application, keeping in view of the delay in approaching the Court.

7. Keeping in view the totality of the circumstances, the claim of the petitioner for the grant of disability pension is allowed, and the respondents are directed to grant the benefit of disability pension to the petitioner from the date he was invalidated out however, the actual arrears upon computation of the same will be restricted for a period of three years from the date of the filing of the original application, which was filed on 01.02.2021, as



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undertaken by the petitioner.

8. No other argument has been raised.

9. Disposed of accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

September 02, 2025

Varinder

Whether speaking/reasoned : Yes

Whether reportable : No