



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

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CWP-13149-2025

Date of Decision: 20.08.2025

Union of India and others**....Petitioners****Versus****Amarjit Singh and another****....Respondents**

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

Present: Ms. Shalini Atri, Senior Panel Counsel
for the petitioners

Harsimran Singh Sethi, J. (Oral)

1. In the present petitions, the challenge is to the order dated 19.09.2022 (Annexure P-3) passed by the Armed Forces Tribunal, Regional Bench, Chandigarh (hereinafter referred to as 'the Tribunal'), by which, the benefit of rounding off the disability to 50% as against 30% has been allowed in favour of the respondent No.1, on the ground that the same is perverse.

2. Learned counsels for the petitioners argue that once the disability as assessed by Release Medical Board as "*Primary Hypertension*" as aggravated by the military service @30% for life. But later PCDA (P) in consultation with competent Medical Authority i.e. Medical Advisor (Pension)



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altered the recommendation of Release Medical Board and held not entitled for disability pension in terms of Para 173 of Pension Regulations for the Army 1961, hence the grant of disability pension by rounding off @50%, is incorrect.

3. We have heard learned counsel for the petitioners and have gone through the case file with their her able assistance.

4. It is a conceded position that the rounding off has been permitted by the respondents themselves, and as per the decision by the Hon'ble Supreme Court of India in ***Union of India and others vs. Ram Avtar, 2014 SCC Online SC 1761***, the rounding off has been found to be permissible.

5. Once, the rounding off has been done as per the judgment of the Hon'ble Supreme Court of India, the learned counsels for the petitioners have not been able to show how, the judgment granting the benefit of rounding off of the disability of 20% to 50% in favour of respondent No.1 is perverse to the Rules or the settled principle of law.

6. The prayer of the petitioners is that the Medical Authority i.e. Medical Advisor (Pension) was final authority to decide final admissibility of the disability pension and was held to be neither attributable nor aggravated but it has been settled that one Release Medical Board has held the disability to be aggravated by the military service, the same cannot be interfered by Administrative Authorities.

7. The further prayer of the petitioners is that the benefit of rounding off should have only been given for a period of three years prior to the filing of the Original Application.



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8. It may be noticed that once the principle of law was settled, the respondents were under an obligation to grant the relief to all the concerned, who are covered by the said decision. Rather than granting a relief, the petitioners forced everyone to approach this Court to claim the same relief and then to raise the argument that the arrears should be restricted. This not permissible especially when, the State is at fault in not granting the benefit admissible under the Rules governing the service as well as the settled principle of law.

9. No other argument has been raised.

10. No ground is made out for any interference by this Court in the facts and circumstances of the present case.

11. Accordingly, the writ petition is dismissed.

12. Pending application(s), if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

August 20, 2025
Varinder

Whether speaking/reasoned : Yes
Whether reportable : No