

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

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2025-PHHC-1573/1-JH



CWP No. 13752 of 2024 (O&M)

Date of decision: 13th November, 2025

Bhola Singh

..Petitioner

Versus

Union of India and others

..Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Vijay Kumar Padwal, Advocate for the petitioner.

Mr. Bharat Bhushan Sharma, Advocate
Senior Panel Counsel for UOI-respondents.

HARSIMRAN SINGH SETHI, J(Oral)

1. In the present petition, the challenge is to the order dated 17.01.2024 (Annexure P-3) passed by the learned Armed Forces Tribunal Chandigarh (for short 'the Tribunal') dismissing grant of disability pension.
2. Learned counsel for the petitioner submits that the claim of the petitioner has been declined by the Tribunal only on the ground of limitation, which is not correct, as the grant of pensionary benefits cannot be denied on the basis of delay and laches, as per the settled principle of law.
3. Learned counsel appearing on behalf of respondents submits that invalid pension is being sought, but not even the ailment on whose basis such invalidation is being alleged, has been brought to the notice of the Tribunal and in the absence of any such record no benefit could be given. Learned counsel for the petitioner submits that the record will be produced before the Tribunal in case an opportunity is given.
4. Keeping in view the above, the order dated 17.01.2024 is set aside and the case is remanded back to the Tribunal.

5. It is made clear that this Court is not making any observation with regard to the entitlement of petitioner qua the invalid pension, the same will be decided by the Tribunal on the basis of evidence brought on record. The order only has been set aside as in case the petitioner is able to bring on record the valid evidence, due to which he is entitled for invalid pension, the same is not dismissed on the ground of limitation.
6. Parties are directed to appear before the Tribunal on 08.12.2025.
7. Pending application(s), if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

13th November, 2025
reema

(VIKAS SURI)
JUDGE

Whether speaking/reasoned : *Yes*
Whether reportable : *No*