



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

119

CWP-19567-2025

Date of Decision: 02.09.2025

UNION OF INDIA AND ORS

...Petitioners

Versus

DALBIR SINGH AND ANR

...Respondents

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

Present:- Ms. Jyoti Choudhary, Senior Panel Counsel,
for the petitioners.

HARSIMRAN SINGH SETHI, J. (ORAL)

1. In the present petition, the challenge is to the impugned order dated 30.07.2024 (Annexure P-1) passed by respondent No. 2-Armed Forces Tribunal, Regional Bench, Chandigarh (for short 'the Tribunal') by which, the claim of the respondent No.1 for the grant of second benefit of service pension by condoning the shortfall of 10 months and 13 days in service has been allowed by the Tribunal so as to treat the same as 15 years of qualifying service which is the period of service required for grant of service pension, by placing reliance upon the judgment of the Full Bench in ***O.A.1238 of 2016***, titled as ***Smt Shama Kaur vs. Union of India and others***, decided on 01.10.2019.

2. Learned counsel for the petitioners submits that the judgment in ***Shama Kaur's*** case (supra) was at a later point of time relied upon by Hon'ble Delhi High Court while granting benefit of condonation of service period, which order of Delhi High Court was challenged and Hon'ble



Supreme Court of India in the appeal preferred by the Union of India, granted an interim relief, hence, till the said case is decided *Shama Kaur's* case (supra) cannot be helped upon so as to grant relief.

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

4. It may be noticed that the same question of law has come up for consideration before this Court in CWP-14095-2025, titled as *Union of India and others vs. Ex.Naik Hardev Singh and another*, decided on 19.08.2025 wherein, the same plea was taken by the petitioners-UOI and after considering the said plea, the same was dismissed, which fact has gone unrebutted at the hand of the learned counsel for the petitioners.

5. Keeping in view the same, present petition is also dismissed in terms of the order passed by this Court in *Ex.Naik Hardev Singh (supra)*.

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

September 02, 2025

harish

Whether speaking/reasoned	Yes
Whether reportable	No