



IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

225

CWP-18786-2024 (O&M)  
Decided on : 13.11.2025

UNION OF INDIA AND ORS

..Petitioners

Versus

EX SEP JARNAIL SINGH AND ANR

... Respondents

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

PRESENT: Ms. Neha Jain, Senior Panel Counsel  
for the petitioners-UOI.

Mr. Akash Kundu, Advocate for respondent No. 1.

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**HARSIMRAN SINGH SETHI, J. (Oral)**

1. In the present petition, the challenge is to the impugned order dated 31.01.2019 (Annexure P-5) passed by respondent No.2-Armed Forces Tribunal, Regional Bench, Chandigarh, (for short, 'the Tribunal') by which, respondent No.1 has been allowed the benefit of disability pension alongwith the benefit of rounding off of the disability element @ 50% as against 20% for life.

2. Learned counsel for the petitioners submits that though, respondent No. 1 was having of *MEDICAL MENISCUS TEAR (RT) KNEE* which was assessed @ 20% for life, by the medical board but since he was discharged from service on the administrative ground that he is undesirable soldier having awarded red ink entries in his service hence, the benefit of disability pension as has been granted by the Tribunal in favour of the respondent No. 1 is incorrect especially when he has been ousted from service being undesirable soldier.

3. Learned counsel for the respondents submits that the same issue as has been raised in the present petition, has also been raised in **CWP**



No. 29083 of 2025- titled as “Union of India and others versus Ex. Sep. Bias Dev Singh and another”, alongwith connected case, decided on 26.09.2025, wherein after considering the settled principle of law, the findings have been recorded by this Court that the red ink entries credited to an army personnel cannot be treated as stigmatic or as a punishment so as to deny such army personnel the benefit of the disability pension once, the disability at the time of discharge was assessed @ 20 %. Relevant paragraphs of the said judgment are as under:-

- “6. The question which arises is whether, a soldier who has been discharged on grant of red entries, is entitled to the pension, gratuity or even the disability pension or not.
9. The law on the said issue has also been settled by the Hon’ble Supreme Court of India in **Civil Appeal No. 910 of 1981 titled as Ram Pal Singh vs. Union of India and others, decided on 05.10.1983.** The Hon’ble Supreme Court of India has held that even if, any employee has been discharged on the ground of undesirability to be retained as a Soldier, the disability pension will be admissible.
10. The same question came up for consideration before the Coordinate Bench of this Court in **LPA No.309 of 2010 titled as Union of India and others vs. Jaggar Singh, decided on 27.07.2010** wherein also, despite the discharge on the ground of undesirability to be retained in service on the basis of the red entry suffered by said Jaggar Singh, he was found entitled for the grant of disability pension by placing reliance upon the settled principle of law.
12. Further, the same issue came up for consideration before the Armed Forces Tribunal, Principal Bench, New Delhi in **OA No.712 of 2015 titled as Ex. NK Bharat Singh vs. Union of India and others, decided on 26.10.2018** wherein also, the said benefit of disability pension was allowed in favour of a soldier, who was discharged on the basis of red ink entry.
14. Keeping in view the Rules, Regulations governing the said issue



as well as the settled principle of law, learned counsel for the petitioners has not been able to prove that the relief granted to respondent No.1 is perverse either on Rules, Regulations, facts or the settled principle of law.”

4. Learned counsel for the petitioners has not been able to dispute the aforesaid fact.

5. Hence, keeping in view the facts and circumstances of the present case wherein the question of law raised has already been answered by this Court while passing the order in CWP No. 29083 of 2025- titled as “Union of India and others versus Ex. Sep. Bias Dev Singh and another”, alongwith connected case, decided on 26.09.2025’, hence, the present petition is also dismissed in the same terms and conditions as held in CWP No. 29083 of 2025- titled as “Union of India and others versus Ex. Sep. Bias Dev Singh and another”, alongwith connected case, decided on 26.09.2025

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

(HARSIMRAN SINGH SETHI)  
JUDGE

( VIKAS SURI )  
JUDGE

13.11.2025

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No