



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

CWP No.18651 of 2025 (O&M)
Date of Decision: 17.07.2025

UNION OF INDIA AND OTHERSPetitioners
Versus
RANBIR AND ANOTHERRespondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Ashish Chaudhary, Advocate,
Senior Panel Counsel for UOI,
for the petitioners.

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ANUPINDER SINGH GREWAL, J. (Oral)

The petitioners have challenged the order dated 06.03.2020 (Annexure P-1) passed by the Armed Forces Tribunal, whereby OA-466-2019 filed by respondent No.1 was disposed of with a direction to petitioner-UOI, to process the claim of applicant, in terms of judgment passed by the Tribunal in the case of ***Ram Singh Versus Union of India and others***, decided on 01.08.2018.

2. Learned counsel for the petitioners submits that the case of the petitioners is distinguishable on facts from the case of ***Ram Singh*** (supra) and therefore, the impugned order be set aside.

3. Respondent No.1 was invalidated out from service w.e.f. 02.03.2012 after having completed 08 years 11 months of service in the Indian Army.

4. Having heard the learned counsel for the petitioners, we are of



the considered view that the instant petition has been filed after a delay of five years. The impugned order was passed on 06.03.2020 while this petition has been filed only now on 02.07.2025. Furthermore, the impugned order was passed after the counsel for the parties, including counsel for the petitioners, had agreed that the case of respondent No.1 was squarely covered by the judgment of the Tribunal in the case of ***Ram Singh*** (supra).

5. Learned counsel for the petitioners has not been able to satisfy this Court as to how the case of respondent No.1 is distinguishable from the case of ***Ram Singh*** (supra). Learned counsel has also informed this Court that the order of the Tribunal in the case of ***Ram Singh*** (supra) has attained finality. Furthermore, the OA was disposed of by the Tribunal with a direction to the petitioners to process the respondent No.1's claim in terms of the judgment of the Tribunal in the case of ***Ram Singh*** (supra) and subject to verification, release the relief claimed together with arrears as expeditiously as possible but not later than four months from the date of the receipt of the certified copy of the order.

6. In the OA, respondent No.1 was claiming the benefit of relaxation of short fall in qualifying service making him eligible for invalid pension. In terms of Regulation 198 of the Pension Regulations for the Army, 1961, the qualifying service for invalid pension is 10 years but respondent No.1 had served only for a period of 08 years and 11 months. Regulation 9 of the aforesaid regulation provides that, in calculating the length of qualifying service, a ***'fraction of a year equal to three months and above but less than six months shall be treated as a completed one***



half year and reckoned as qualifying service'. Furthermore, vide order dated 14.08.2001, the Ministry of Defence had incorporated **Clause (v)**, whereby administrative powers had been delegated to the competent authority, empowering him to condone the shortfall in qualifying service for grant of pension beyond six months and up to twelve months. It is trite that the condonation of short fall of service upto one year by judicial intervention has been affirmed by the Supreme Court in the case of ***Union of India Versus Surender Singh Parmar, (2015) 3 SCC 404***, as noticed by the Tribunal in the impugned order.

7. Consequently, we do not find any merit in this petition, which stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

17.07.2025
sandeep

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No