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

CWP-20575-2025 (O&M)

Date of Decision: 22nd July, 2025

UNION OF INDIA AND OTHERS

.....Petitioner(s)

V/s.

Ex. L/NK SURINDER SINGH, No.3988436 AND ANOTHER

.....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present Mr. Amit Arora, Senior Panel Counsel,
for the petitioners-UOI.

ASHWANI KUMAR MISHRA, J. (Oral)

1. This petition is directed against order dated 27.09.2021 passed by the Armed Forces Tribunal, Regional Bench Chandigarh at Chandimandir (hereinafter referred to as “the Tribunal”) in OA-1613-2020, whereby, the Tribunal has extended the relief of rounding-off of disability pension to 50% relying upon the judgment of the Hon’ble Supreme Court in *Civil Appeal No. 418 of 2012* titled as **Union of India and Others** Vs. **Ram Avtar** ; SCC Online SC 1761.

2. The only ground urged to challenge the judgment of the Tribunal is that the disability shown to respondent No.1 was Diabetes Mellitus Type-II and Primary Hypertension and that it was not a disability acquired during military service.

3. The Tribunal has gone into this aspect of the matter and has observed as under:-

“It is undisputedly proved that at the time the applicant entered into military service, this type of disease/disability did not exist. The disability accrued to him during the course of military service. So by virtue of the principle laid down in



Dharamvir Singh’s case, the said disability can be attributed/aggravated by military service”

4. Neither the finding aforesaid is not seriously questioned nor any material has been placed on record to show that the disability attributed was in existence prior to entry of respondent No.1 into the military service.

5. In view of the law settled in the case of **Dharamvir Singh** Vs. **Union of India** ; (2013) 7 SCC 316, we do not find any reason to interfere with the impugned judgment passed by the Tribunal. Accordingly, the Writ Petition is **dismissed**.

6. All pending applications, if any, in this case are disposed of accordingly.

[ASHWANI KUMAR MISHRA]
JUDGE

[KULDEEP TIWARI]
JUDGE

July 22, 2025
Ess Kay

Whether speaking / reasoned	:	Yes	/	No
Whether Reportable	:	Yes	/	No