



171

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

CWP-20938-2025 (O&M)

Date of Decision: 28.07.2025

UNION OF INDIA AND OTHERS

.....Petitioner(s)

V/s.

NO.10136319X EX./NK SUKRAMPAL AND ANOTHER

.....Respondent(s)

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

Present Mr. Ashish Chaudhary, Senior Panel Counsel,
for the petitioners-UI.

ASHWANI KUMAR MISHRA, J. (Oral)

1. The instant petition is directed against order dated 12.12.2023, as passed by the Armed Forces Tribunal, Regional Bench Chandigarh, at Chandimandir (hereinafter referred to as “the Tribunal”) in OA-836-2023, whereby, the Tribunal has allowed the relief of rounding-off the disability to 50% for the disability element of disability pension in terms of the judgment of the Hon’ble Supreme Court rendered 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 on which the judgment of the Tribunal is assailed is that the disability, as suffered by respondent No.1 could not have been attributed to the military service.

3. This Court has confronted the learned counsel for the petitioners to the findings rendered by the Tribunal in the impugned judgment are reproduced as under:-

“8. In view of the judgment rendered by Hon’ble Supreme Court and the facts of the case that the applicant has suffered disability because of stress and strain of military service and claim has been wrongly denied to him, the applicant is certainly entitled to disability element of disability pension @ 20% for life.

7. Further as per the judgment of Hon’ble Supreme Court in *Civil Appeal No.418/2012* titled as *Union of India Vs. Ram*

Avtar decided on 10.12.2014, the applicant herein is held entitled to disability element of disability pension @50% for life as against 20%.”

4. Learned counsel for the petitioners has not been able to show any perversity or illegality in the finding of the Tribunal. The factum of disability is not in dispute. Even otherwise, the controversy raised in the matter stands adjudicated by our composite order dated 28.07.2025 passed in **Union of India and Others** Vs. **IC-41068W Maj. Gen. Anil Chaudhary (Retd.) and Another**; CWP-20287-2025 and connected cases. Once that be so, this Court finds no good ground to interfere with the impugned order passed by the Tribunal. Accordingly, the Writ Petition is **dismissed**.

5. All pending applications in this case are disposed of accordingly.

[ASHWANI KUMAR MISHRA]
JUDGE

[KULDEEP TIWARI]
JUDGE

July 28, 2025
Ess Kay

<i>Whether speaking / reasoned</i>	:	<i>Yes</i>	/	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	/	<i>No</i>