



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

CWP-21873-2025 (O&M)

Date of decision: 31.07.2025

Union of India and others

....Petitioners

Versus

Maj. Manjinder Singh (Retd) and another

....Respondents

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

Present: Ms. Ayushi Sharma, Advocate,
for the petitioners.

Mr. Arshit Goel, Advocate, and
Mr. Ajay Sheoran, Advocate,
for respondent No.1.

ASHWANI KUMAR MISHRA, J. (Oral)

The petitioners-Union of India has assailed the order passed by the Armed Forces Tribunal, Regional Bench, Chandigarh, (for short, 'Tribunal), dated 15.02.2024, vide which claim of the applicant-respondent No.1, has been accepted, for inclusion of service element in the disability pension.

In brief, the facts, as have been recorded by the Tribunal, are that respondent No.1 got selected in Short Service Commission in the Indian Army, Corps of Engineers, on 21.03.2009, for ten years. He was released from service on 28.05.2019. However, during service, since he was diagnosed with a disease known as Portal & Mesenteric Vein Thrombosis, which was a permanent disability, the authorities downgraded him to low medical category P2 (Permanent). As a result, he was examined by the Release Medical Board, which assessed his disability @20% for life, and also held that it was aggravated by military services. Thus, his claim for grant of disability pension consisting of both, service element and disability element, was processed. However,

the recommendations did not find favour with the authorities, and they accorded approval only to disability element for pension.

Though, the Union of India-respondents therein, never disputed the fact that the respondent was discharged on medical ground, but they held the applicant-respondent No.1 not entitled for the relief claimed.

After hearing rival submissions made on behalf of the parties, the Tribunal, while relying upon a decision of the Hon’ble Supreme Court in **Union of India and another Vs. C.S. Sidhu (2010) 4 SCC 563**, allowed the Original Application, preferred by the applicant-respondent No.1, and directed the authorities to decide his claim for service element of disability pension, as per Ministry of Defence (Army) letter No.1(9)/2006/D(Pen-C) dated 30.08.2006, within four months.

Aggrieved by the judgment of the Tribunal, the Union of India has filed the present writ petition, however, after about 1½ years.

Primarily, no plausible justification for the inordinate delay of about 1½ years has been tendered. Even otherwise, this Court has already given a quietus to the controversy raised in the matter at hand, in **CWP-1947-2025 (Union of India and others Vs. Ex. Nk. Milap Chand and another)**. In such circumstances, this petition too fails and is, accordingly, dismissed.

(ASHWANI KUMAR MISHRA)
JUDGE

(KULDEEP TIWARI)
JUDGE

31.07.2025
Ak Sharma

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No