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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-22326-2025 (O&M)

Date of Decision: 4th August, 2025

UNION OF INDIA AND OTHERS

.....*Petitioner(s)*

V/s.

ANITA RANI WIDOW OF EX. SUBEDAR LATE SHRI JAGWINDER
SINGH (No.JC-760127Y) AND ANOTHER

.....*Respondent(s)*

CORAM: **HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA**
 HON'BLE MS. JUSTICE AARADHNA SAWHNEY

Present Ms. Shalini Attri, Senior Panel Counsel,
 for the petitioners-UOI.

ASHWANI KUMAR MISHRA, J. (Oral)

1. The instant petition is directed against order dated 15.04.2024, as passed by the Armed Forces Tribunal, Regional Bench Chandigarh, at Chandimandir (hereinafter referred to as “the Tribunal”) in OA-111-2021, whereby, the Tribunal has allowed the relief of rounding-off the disability to 100% for the 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 deceased respondent No.1’s husband 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:-

“10. The above observations make it abundantly clear that if the husband of the applicant enrolled in the Indian Army in good state of health and mind and later on because of stress and strain some of the disabilities are declared as neither attributable to nor aggravated by military service, it will be presumed that the appellant was in sound physical and mental condition at the time

of entering the service and deterioration in his health has taken place due to military service.

11. As per Medical Record dated 23.11.2017 (Annexure A-3 page 37 of the paper book) the husband of the applicant, herein, has suffered composite disability at the time of discharge @ 100% for life and net assessment 40% for life. In view of the fact that the applicant has restricted his claim only to disease RENAL TRANSPLANT RECIPIENT assessed @80% which was declared as neither attributable to nor aggravated by military service, he is held entitled to disability pension @80% by rounding it off 100% as per judgment of Hon'ble Supreme Court in Civil Appeal No 418/2012 titled Union of India Vs Ram Avtar decided on 10.12.2014.”

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

[AARADHNA SAWHNEY]
JUDGE

4th August, 2025
Ess Kay

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