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

CWP-22369-2025 (O&M)

Date of Decision: 4th August, 2025

UNION OF INDIA AND OTHERS

.....Petitioner(s)

V/s.

EX. NK CHARANJIT SINGH (NO.7779827H) AND ANOTHER

.....Respondent(s)

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

Present Mr. Sehej Sandhawalia, Senior Panel Counsel,
for the petitioners-UOI.

ASHWANI KUMAR MISHRA, J. (Oral)

1. The instant petition is directed against order dated 17.01.2024, as passed by the Armed Forces Tribunal, Regional Bench Chandigarh, at Chandimandir (hereinafter referred to as “the Tribunal”) in OA-1022-2022, whereby, the Tribunal has allowed the relief of rounding-off the disability to 50% 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 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, which are reproduced as under:-

“7. It is proved beyond all reasonable doubt that at the time the applicant entered into military service, this type of disease/disability did not exist.

9. Therefore, we are not satisfied with the findings that the disability is neither attributable to nor aggravated by military service recorded by the Release Medical Board in its report for the reason that at the time of enrolment of the applicant in the Army, no such disease could be detected by the Medical Board

which had conducted his medical examination at that time. We are also not in agreement with the submissions made by the learned Senior Panel Counsel that the applicant at the time of his enrolment being in young age and it is due to this reason that the disease could not be detected at that time. Therefore, the opinion to the contrary recorded by the Release Medical Board is neither legally nor factually sustainable. XXXXXXXXx XXXX XXXX”

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 judgment of 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

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