

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

107

CM-14869-CWP-2025 in/&
RA-CW-443-2025 in
CWP-5922-2024
Date of Decision :21.11.2025

Union of India & others

...Petitioners

Versus

Ex. Sep Onkar Singh and another

... Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MS. JUSTICE SUDEEPTI SHARMA**

Present: Mr. Angel Walia, Senior Panel Counsel
for applicant/petitioners-UOI.

Mr. Navdeep Singh, Senior Advocate with
Ms. Roopan Atwal, Advocate & Ms. Srishti Sharma, Advocate
for respondent No.1.

HARSIMRAN SINGH SETHI J. (ORAL)
CM-14869-CWP-2025

1. Present application has been filed for condonation of delay of
48 days in filing the present review application.

2. Keeping in view the averments made in the application, which
are duly supported by an affidavit, the application is allowed. Delay of 48
days in filing the present review application. is condoned.

RA-CW-443-2025

3. Present application has been filed for review/recalling of the
order dated 23.10.2024 passed by this Court in CWP-5922-2024.

4. Notice of the review application to the respondents.

5. Mr. Navdeep Singh, Senior Advocate with Ms. Roopan Atwal,
Advocate & Ms. Srishti Sharma, Advocate accepts notice on behalf of the



respondent No.1

6. Keeping in view the averments made in the application, which are duly supported by an affidavit, application is allowed. Order dated 23.10.2024 passed by this Court is recalled and the main writ petition is ordered to be restored to its original number and status and is taken up for hearing today itself.

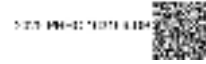
CWP-5922-2024

7. Learned counsel for the parties have not been able to dispute the fact that the issue raised in the present writ petition is covered by the judgment of the Coordinate Bench of this Court in **CWP-26812-2025 titled as Raj Singh vs. Union of India and others decided on 08.10.2025** and keeping in view the findings recorded therein, the present petition may kindly be dismissed.

8. Apart from this, the Hon'ble Supreme Court of India in the case of ***Union of India vs. Ex. Hav (ACP-1) Naresh Kumar, Diary No. 14487-2023, decided on 19.02.2025***, has already considered the said issue. Relevant paragraphs of the judgment are as under:-

“We have perused the impugned judgment passed by the The the Armed Forces Tribunal, Regional Bench, Chandigarh. Tribunal has followed the decision of this Court in the case of Dharamvir Singh v. Union of India. The learned senior counsel appearing for the appellants submitted that now the burden under the 2008 Rules was on respondent to prove that the disability was as a result of service. Reliance is placed on opinion of the Medical Board to contend that due to consumption of alcohol that the disability was caused. We find from part 5 of the opinion that the Medical Board has recorded a concession of the respondent that the disability is neither attributable nor aggravated by the military service and disability was due to alcohol. A Medical Board cannot The act upon the so called concession by the respondent. function of the Medical Board is to give an independent opinion after examination of the patient.

At this stage, the learned senior counsel appearing



for the appellants submits that recorded by the respondent in the concession was response to a questionnaire.

We are surprised to note that only based on the concession of the respondent that a conclusion has been The Medical Board ought to drawn by the Medical Board. have drawn an independent conclusion.

There is no merit in the appeal and the same is accordingly dismissed.”

9. Learned counsel for the petitioners has not been able to dispute that the similar appeal filed before the Hon’ble Supreme Court of India has already been dismissed.

10. No other argument has been raised.

11. Keeping in view the above, present writ petition is dismissed in terms of the order passed by the Coordinate Bench of this Court in **Raj Singh’s case (supra).**

(HARSIMRAN SINGH SETHI)
JUDGE

(SUDEEPTI SHARMA)
JUDGE

November 21, 2025

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Whether speaking/reasoned : Yes

Whether reportable : No