**CWP-34000-2024****1**

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

(228)**CWP-34000-2024****Date of Decision : November 20, 2025****Union of India and others****.. Petitioners****Versus****Lt. Col. Vikram (Retd.) and another****.. Respondents**

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Mr. Charanjit Singh Bakhshi, Senior Panel Counsel,
for the petitioners. (joined through VC)

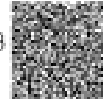
Mr. Navdeep Singh, Senior Advocate, with
Mr. Rajat Chauhan, Advocate, for respondent No.1.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present writ petition, the challenge is to the order dated 19.01.2023 (Annexure P-1) passed by respondent No.-2- Armed Forces Tribunal, Regional Bench, Chandigarh (hereinafter referred to as 'the Tribunal') by which, the Tribunal has only directed to constitute a Post Discharge Release Medical Board to assess the disability of respondent No.1.

2. Learned counsel for the petitioners submits that the direction for constituting a Post Discharge Release Medical Board should not have been done keeping in view the fact that at the time when the soldier was discharged, no such medical board was constituted.

3. Learned Senior Counsel appearing on behalf of respondent No.1 submits that keeping in view the rules governing the grant of disability

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pension, the same envisaged the constitution of Post Discharge Release Medical Board as well. The reliance is being placed upon Rule 8-A of the Casualty Pension and Disability Compensation Award to Armed Forces Personnel Rules, 2008 (hereinafter referred to as '2008 Rules').

4. Learned counsel for the petitioners has not been able to rebut the said fact.

5. We have heard learned counsel for the parties and have gone through the record with their able assistance.

6. Once under 2008 Rules, there is a provision of constitution of Post Discharge Release Medical Board, the direction given by the Tribunal cannot be treated as arbitrary or illegal or without jurisdiction. The petitioners are bound to constitute the Post Discharge Release Medical Board and examine the respondent No.1.

7. As the order dated 19.01.2023 (Annexure P-1) passed by the Tribunal is in accordance with the facts of the present case coupled with 2008 Rules, no ground is made out for any interference by this Court in the present case.

8. Accordingly, the writ petition is dismissed.

(HARSIMRAN SINGH SETHI)
JUDGE

November 20, 2025
harsha

(VIKAS SURI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No