



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No.34484 of 2024

Date of Decision: 15.01.2025

Union of India & others

...Petitioners

Versus

Ex-LNK Anoop Singh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Maheshinder Singh Sidhu, Senior Panel
counsel for the petitioners-UOI.

Mr. Chakshu Sharma, Advocate,
for respondent No.1.

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SANJEEV PRAKASH SHARMA J.(Oral)

Admittedly, the Authorities granted 40% disability pension to respondent No.1 keeping in view the law laid down by the Apex Court in ***Civil Appeal No.418 of 2012*** titled as ***Union of India & others vs. Ram Avtar decided on 10.12.2014***, and the Armed Forces Tribunal (for short, 'AFT') has rounded off the disability pension to 50% as against 40% from the date of release from service. The judgment passed in ***Union of India & others (supra)*** has attained finality on 10.12.2014.

2. In view of the observations therein, a person who has been awarded disability pension less than 50% but above 20%, would have to be rounded off to 50% and several orders have been passed from time to time by the AFT. However, we find that adopting an adamant approach, order



passed by the AFT way back on 26.11.2018 has been challenged before this Court in writ petition solely on the basis of the judgment passed by Hon'ble the Supreme Court in ***Union of India & others vs. Parashotam Dass 2023 (3) SLR 1 decided on 21.03.2023***. We find that the order was required to be implemented long back in 2018. No reasons are coming forward for not challenging the said order before the Supreme Court as provided by the AFT Act, we now direct the petitioners to implement the order of the Tribunal.

3. We accordingly dismiss the writ petition and impose the costs of Rs.10,000/- to be recovered from the official concerned. The costs shall be paid to the applicant/respondent No.1.

(SANJEEV PRAKASH SHARMA)
JUDGE

January 15, 2025
seema

(MEENAKSHI I. MEHTA)
JUDGE

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