



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

105

CWP-33969-2025

Date of Decision: 27.11.2025

UNION OF INDIA AND OTHERS

...Petitioners

Versus

NIRMALA DEVI AND ANR

...Respondents

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

Present:- Mr. Vikas Sharma, Senior Panel Counsel,
for the petitioners.

HARSIMRAN SINGH SETHI, J. (ORAL)

1. In the present petition, an order passed by the Armed Forces Tribunal, Regional Bench, Chandigarh (hereinafter referred to as 'Tribunal') six years ago, i.e. on 02.12.2019 (Annexure P-1), granting special family pension, is being challenged.

2. Learned counsel for the petitioners argues that though the husband of respondent No.1 died while service due to cardiac arrest but the same cannot be made attributable to the military service, therefore, the impugned order granting special family pension instead of regular family pension may kindly be set aside.

3. We have heard learned counsel for the petitioners and have gone through the case file with his able assistance.



4. The husband of respondent No.1 joined the service of petitioners-UIO on 18.04.1984 and while in service, he unfortunately died on 26.09.2010 and he had 26 years service to his credit at the time when he died. The argument raised is that the death due to cardiac arrest cannot be attributed to the military service. It may be noticed that at the time when the husband of respondent No.1 was recruited in the year 1984, he was perfectly fit and it is only due to the stress and the working conditions, he suffered the cardiac arrest and died.

5. The Tribunal has recorded the finding that as per Rule 14 and 15 of the Entitlement Rules for Casualty Pensionary Awards 1982, the diseases which can be contacted by stress and strain includes cardiac arrest. That being so, the death of the husband of respondent No.1 has to be attributed or aggravated by the military service. The findings recorded by the Tribunal has not been proved to be perverse either on facts or law.

6. No other argument has been raised.

7. Hence, in the absence of any perversity being pointed out in the impugned order dated 02.12.2019 (Annexure P-1) either on the basis of the facts or the settled principle of law, especially after a period of six years, no ground is made out for any interference by this Court in the facts and circumstances of the present case.

8. Accordingly, the writ petition is dismissed and the benefits permissible to respondent No.1 be released within eight weeks from the date of receipt of copy of this order.

9. Pending application(s), if any, stands disposed of.



(HARSIMRAN SINGH SETHI)
JUDGE

November 27, 2025
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(VIKAS SURI)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No