



2025:DHC:6507-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 13731/2024, CM APPL. 57490/2024

UNION OF INDIA AND ORS

.....Petitioners

Through: Mr. N.K. Aggarwal, Sr. PC
with Ms. Sanjana Antil, Adv. for UOI with
Sgt Manish Kumar Singh and Sgt Mritunjay
(Air Force Legal Cell)

versus

EX SGT BABU LAL YADAV

.....Respondent

Through: Mr. Praveen Kumar, Adv.

+ W.P.(C) 804/2025, CM APPL. 3973/2025

UNION OF INDIA & ORS.

.....Petitioners

Through: Mr. Jagdish Chandra, CGSC
with Mr. Sujeet Kumar Choudhary, Adv.
with Sgt Manish Kumar Singh and Sgt
Mritunjay Air Force (Legal Cell)

versus

EX MWO HFO KAILASH CHAND 649518

.....Respondent

Through: Mr. Ajit Kakkar and Mr. Aman
Kumar, Advs.

Ms. Deepika Sheoran and Mr. Baljeet Singh,
Advs.

+ W.P.(C) 821/2025, CM APPL. 4062/2025

UNION OF INDIA & ORS.

.....Petitioners

Through: Ms. Radhika Bishwajit Dubey,
CGSC with Ms. Gurleen Kaur Waraich, Mr.
Kritarth Upadhyay, Mr. Vivek Sharma, Ms.
Khushi and Mr. Saksham Sharma, Advs.



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with Sgt Manish Kumar Singh and Sgt
Mritunjay Air Force (Legal Cell)

versus

HFO RETD HRADYESH KUMAR
VARSHNEY

.....Respondent

Through: Mr. Praveen Kumar, Adv.

+ W.P.(C) 824/2025, CM APPL. 4067/2025

UNION OF INDIA & ORS.

.....Petitioners

Through: Mr. Piyush Gupta CGSC with
Mr. Atishay Jain, Mr. Abhay Thukral, Ms.
Sakshi Chhabra and Ms. Vasudha Kumar,
Adv. with Sgt Manish Kumar Singh and
Sgt Mritunjay Air Force (Legal Cell)

versus

EX WO SADANANDA RAUTRAY 633050 RRespondent
Through:

+ W.P.(C) 990/2025, CM APPL. 4935/2025

UNION OF INDIA & ORS.

.....Petitioners

Through: Mr. Jagdish Chandra, CGSC
with Mr. Sujeet Kumar Choudhary, Adv.
with Sgt Manish Kumar Singh and Sgt
Mritunjay Air Force (Legal Cell)

versus

EX SGT MUKESH KUMAR PANDEY
(SER NO 795766-A)

.....Respondent

Through:

+ W.P.(C) 1019/2025, CM APPL. 5057/2025



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UNION OF INDIA & ORS.

.....Petitioners

Through: Sgt Manish Kumar Singh and
Sgt Mritunjay Air Force (Legal Cell)

versus

EX MWO VIJENDER SINGH TEOTIA

.....Respondent

Through:

+ W.P.(C) 1031/2025, CM APPL. 5106/2025

UNION OF INDIA & ORS.

.....Petitioners

Through: Mr. Raghvendra Shukla Sr. PC
for UOI with Sgt Manish Kumar Singh and
Sgt Mritunjay Air Force (Legal Cell)

versus

634793 HFL NARAYANASAMY
NAMMALWAR (RETD.)

.....Respondent

Through: Mr. Manoj Kumar Gupta and
Ms. Esha Mehrotra, Adv.

+ W.P.(C) 1277/2025, CM APPL. 6317/2025

UNION OF INDIA THROUGH ITS SECRETARY,
& ORS.

.....Petitioners

Through: Mr. Theepa Murugesan, Sr. PC
with Ms. Sanya Bhatia, Adv. for UOI with
Sgt Manish Kumar Singh and Sgt Mritunjay
Air Force (Legal Cell)

versus

772697 SGT PINAKI CHOUDHURY(RETD)Respondent

Through: Mr. Baljeet Singh and Mr. A.K.
Chaudhary, Adv.

+ W.P.(C) 1279/2025, CM APPL. 6321/2025



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UNION OF INDIA & ORS.

.....Petitioners

Through: Ms. Seema Gulati, Sr. PC with
Sgt Manish Kumar Singh and Sgt Mritunjay
Air Force (Legal Cell)

versus

EX MWO HFL AMRIT LAL SEKHRI

.....Respondent

Through: Mr. Baljeet Singh and Mr. A.K.
Chaudhary, Advs.

+ W.P.(C) 1468/2025, CM APPL. 7108/2025

UNION OF INDIA & ORS.

.....Petitioners

Through: Mr. Satya Ranjan Swain, Sr. PC
with Mr. Kautilya Birat, Mr. Ankush Kapoor
and Mr. Vishwadeep Chandrakar, Advs.
with Sgt Manish Kumar Singh and Sgt
Mritunjay Air Force (Legal Cell)

versus

GP CAPT VINAY SAREEN

.....Respondent

Through: Mr. Ajai Bhalla and Ms. Aditi
Laxman, Advs.

+ W.P.(C) 1472/2025, CM APPL. 7114/2025

UNION OF INDIA AND ORS

.....Petitioners

Through: Mr. Shubham Mahajan, Sr. PC
for UOI with Sgt Manish Kumar Singh and
Sgt Mritunjay Air Force (Legal Cell)

versus

EX WO SURENDRA KUMAR SINGH 676264Respondent

Through: Mr. Shiv Ram Singh, Mr.
Girindra Kumar Pathak and Mr. Hem
Kumar, Advs.



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+ W.P.(C) 1707/2025, CM APPL. 8249/2025

UNION OF INDIA & ORS.

.....Petitioners

Through: Mr. Jagdish Chandra, CGSC
with Mr. Sujeet Kumar Choudhary, Adv.
with Sgt Manish Kumar Singh and Sgt
Mritunjay Air Force (Legal Cell)

versus

EX MWO BIJAY KUMAR SAH
(SER NO 628234 B)

.....Respondent

Through: Mr. Tatsat Shukla and Mr. Ram
Jivan Dixit, Advs.

+ W.P.(C) 1724/2025, CM APPL. 8338/2025

UNION OF INDIA AND ORS

.....Petitioners

Through: Mr. Sushil Kumar Pandey, Sr.
PC with Sgt Manish Kumar Singh and Sgt
Mritunjay Air Force (Legal Cell)

versus

EX NC E RATAN LAL DAS

.....Respondent

Through: Mr. Pushpendra Kumar Dhaka,
Mr. Abhishek Kumar, Mr. Sumit Sharma
and Ms. Arti Kumar, Advs.

+ W.P.(C) 1725/2025, CM APPL. 8340/2025

UNION OF INDIA ORS

.....Petitioners

Through: Ms. Archana Sharma, Sr. PC
with Sgt Manish Kumar Singh and Sgt
Mritunjay Air Force (Legal Cell)

versus



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EX MWO SHYAM SINGHRespondent
Through: Ms. Deepika Sheoran and Mr.
Baljeet Singh, Advs.

+ W.P.(C) 1885/2025, CM APPL. 8958/2025

UNION OF INDIA & ORS.Petitioners
Through: Mr. Vineet Dhanda, CGSC for
UOI with Sgt Manish Kumar Singh and Sgt
Mritunjay Air Force (Legal Cell)

versus

EX WO DUBEY AWDHASH NARAYAN
SERVICE NO 662681Respondent
Through: Ms. Deepika Sheoran and Mr.
Baljeet Singh, Advs.

+ W.P.(C) 1907/2025, CM APPL. 9008/2025

UNION OF INDIA & ORS.Petitioners
Through: Mr. P.S. Singh, CGSC with Ms.
Minakshi Singh, Ms. Annu Singh and Mr.
Ashutosh Bharti, Advs.

versus

HFO RAMANAND SAINIRespondent
Through: Mr. Manoj Kumar Gupta and
Ms. Esha Mehrotra, Advs.

+ W.P.(C) 1986/2025, CM APPL. 9298/2025

UNION OF INDIA & ORS.Petitioners
Through: Mr. Jivesh Kumar Tiwari, Sr.
PC with Sgt Manish Kumar Singh and Sgt
Mritunjay Air Force (Legal Cell)

versus



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EX SGT ANIL KUMAR

.....Respondent

Through:

+ W.P.(C) 2011/2025, CM APPL. 9472/2025

UNION OF INDIA AND ORS

.....Petitioners

Through: Mr. Ravi Kant Srivastava, Sr. PC with Mr. Robert Laishram and Mr. Bhupender, Advs. with Sgt Manish Kumar Singh and Sgt Mritunjay Air Force (Legal Cell)

versus

JWO MADAN LAL KAUSHIK

.....Respondent

Through: Mr. Devendra Kumar, Mr. Raj Kumar and Mr. Brajesh Kumar, Advs.

+ W.P.(C) 2093/2025, CM APPL. 9805/2025

UNION OF INDIA & ORS.

.....Petitioners

Through: Mr. Raj Kumar, CGSC with Sgt Manish Kumar Singh and Sgt Mritunjay Air Force (Legal Cell)

versus

EX SGT SOMNATH PAL (S.NO. 776890-L)

.....Respondent

Through: Mr. Kritendra Tiwari, Adv.

+ W.P.(C) 2524/2025, CM APPL. 11925/2025

UNION OF INDIA & ORS.

.....Petitioners

Through: Ms. Suruchi Mittal, Sr. PC with Major Anish Muralidhar Army

versus



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EX SUB SHAMSHER SINGH

.....Respondent

Through: Mr. Devendra Kumar, Mr. Raj
Kumar and Mr. Brajesh Kumar, Advs.

+ W.P.(C) 2732/2025, CM APPL. 13019/2025

UNION OF INDIA & ORS.

.....Petitioners

Through: Mr. Jitesh Vikram Srivastava,
Sr. PC with Sgt Manish Kumar Singh and
Sgt Mritunjay Air Force (Legal Cell)

versus

EX-SGT, AKHILESH KUMAR MISHRA
(CLK/PA)

.....Respondent

Through: Mr. Praveen Kumar, Adv.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT (ORAL)

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05.08.2025

C. HARI SHANKAR, J.

1. These writ petitions deal with the entitlement of the respondents to disability pension. The Union of India assails decisions of the Armed Forces Tribunal, whereby disability pension stands granted to the respondents.

2. These cases stand covered by as on date more than eighty judgments passed by this Bench as well as by a Coordinate Bench of this Court. They also stand covered by the judgment of the Supreme



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Court in *Dharamvir Singh v UOI*¹ as well as the recent decision of the Supreme Court in *Vijender Singh v UOI*².

3. Against one of these decisions, which was rendered by us in *UOI v Ex Sub Gawas Anil Madso*³, an SLP has been preferred before the Supreme Court in which notice alone has been issued and no interim orders have been passed.

4. We are not informed that any SLP has been preferred against any of the other matters passed by this Bench or the Coordinate Bench.

5. Learned Counsel for the Union of India in all these matters fairly acknowledged that the controversy stands covered by the above decisions.

6. In its recent decision in *Union Territory of Ladakh v Jammu & Kashmir National Conference*⁴, the Supreme Court has deprecated the practice of hierarchically lower Courts including the High Courts keeping matters pending merely because some issue is pending before the Supreme Court. Even where the correctness of a judgment has been doubted by the Supreme Court, the decision in *Jammu & Kashmir National Conference* directs High Courts to implement the law as it stands and not to adjourn matters awaiting the outcome of the appeals in the Supreme Court.

¹ (2013) 7 SCC 316

² 2025 SCC OnLine SC 895

³ 2025 SCC OnLine 2018

⁴ 2023 SCC OnLine SC 1140



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7. We have taken stock of this judgment in para 60 of the judgment in ***Gawas Anil Madso***.

8. We, therefore, proceed to decide these writ petitions on the basis of the decisions taken by this Court.

9. A tabular statement of the position as it emerges in all these writ petitions, including the decisions by which the individual writ petitions, may be provided thus:

S No	WP(C) No.	Name of Respondent	Disability	Years of service	Reasoning given by the RMB
1.	W.P.(C) 13731/2024	Ex SGT Babu Lal Yadav	Central Retinal Vein Occlusion (Left Eye)	33	Onset of disability on Oct 2012 at peace station Sirsa. It is associated with hypertension & hyper-viscosity syndrome in leukaemia and polycythaemia vera. The vision of right eye have improved. No stress and strain of service. Hence, NANA as per para 24(d) (ii) GMO 2008.
2.	W.P.(C) 804/2025	Ex MWO HFO Kailash Chand 649518	i. Diabetes Type-II ii.Primary Hypertension	37	Onset in peace and served in peace as per Paras 26 and 43 of GMO 2008. Hence, NANA



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3.	W.P.(C) 821/2025	HFO Retd. Hradyesh Kumar Varshney	i. Diabetes Type-II ii.Primary Hypertension iii. Coronary Artery Disease	37	Life Style Disease, Onset of disability white in peace. No delay in diagnosis/ treatment of indl. No close time connection with HAA/CI Ops/Fd area as per Para 26 and 43 of Ch VI of GMO 2008 and charter of duties dt. 22 January 2015.
4.	W.P.(C) 824/2025	Ex WO Sadananda Rautaray 633050 R	Diabetes Type-II	36	Life Style Disease, onset on May 2010 while in peace area. No delay in diagnosis/treatment of individual. No close time connection-HAA/ CIOps /Fd Area as per Para 26 of Ch VI of GMO 2008.
5.	W.P.(C) 990/2025	Ex SGT Mukesh Kumar Pandey	Primary Hypertension	20	Onset of disease in peace area at New Delhi. No history of infection, service-related trauma/close time association with stress of Fd/HAA/ CIOps service. Hence NANA as per para 43 of GMO 2008.
6.	W.P.(C) 1019/2025	Ex MWO Vijender Singh Teotia	Central Serous Chorioretinop -athy Right Eye	38	Disease-progressed without any link to service conditions/ stress and no evidence of delay or adverse factors, is deemed NANA as per para 24(d)(i)



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					of GMO 2008.
7.	W.P.(C) 1031/2025	HFL Narayanasa my Nammalwar (Retd.)	Primary Hypertension	37	An idiopathic and lifestyle disease onset in peace station and served thereafter in peace station.
8.	W.P.(C) 1277/2025	SGT Pinaki Choudhary (Retd.)	Primary Hypertension	23	Life style disease. Onset on February 2016 in peace area. No close time connection with-HAA/CIops/Fd area as per Para 43 of Ch VI of GMO 2008.
9.	W.P.(C) 1279/2025	EX MWO HFL Amrit Lal Sekhri	ECG Abnormality (LBBB)	39	Neither attributable to nor aggravated by Mil service as per Para 20 of GMO 2008
10.	W.P.(C) 1468/2025	GP Capt. Vinay Sareen	i.Diabetes Mellitus Type II ii.Primary Hypertension iii.Dyslipidae -mia	33	Disease (i) and (ii) is life style disorder. Onset while in peace area. No delay in diagnosis/treatment of individual. No close time connection with-HAA/CIops/Fd area as per Para 26 and 43 of Ch VI of GMO 2008.
11.	W.P.(C) 1472/2025	EX WO Surendra Kumar Singh	Primary Hypertension	37	Life style disorder. Onset of disability in peace-area (Allahabad). No close time connection with-HAA/CIops/Fd area. No delay in



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					diagnosis and there was no stress/strain of service Hence, NANA as per Para 43 of Ch VI of GMO 2008.
12.	W.P.(C) 1707/2025	EX MWO Bijay Kumar Sah	CAD AWM I	37	No service related trauma/stress or delay in diagnosis or treatment. The condition is held neither attributable to nor aggravated by service as per Para 47 of Chapter VI of GMO 2008 and Charter of Duties dated 16 January 2014.
13.	W.P.(C) 1724/2025	EX NC E Ratan Lal Das	i.Diabetes Mellitus Type II ii.Primary Hypertension	29	Disease (i) and (ii) is life style disorder. Onset while in peace area. No delay in diagnosis/treatment of individual. No close time connection with-HAA/CI Ops/Fd area as per Para 26 and 43 of Ch VI of GMO 2008.
14.	W.P.(C) 1725/2025	EX MWO Shyam Singh	Primary Hypertension	37	Life style disease. Onset of disability in peace area. No close time connection with-HAA/CI Ops/Fd area as per Para 43 of Ch VI of GMO 2008.
15.	W.P.(C) 1885/2025	EX WO Dubey Awdhash	i.Diabetes Mellitus Type II	37	Life Style Disease, onset on February 2016 of in peace



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		Narayan	ii.Primary Hypertension		area. No close time connection with-HAA/CI Ops/Fd area as per Paras 26 and 43 of Ch VI of GMO 2008.
16.	W.P.(C) 1907/2025	HFO Ramanand Saini	i.Pulmonary Thrombo Embolism with Pulmonary Hypertension ii.Primary Hypertension	37	Onset on Oct 2009 while posted to Peace area. An idiopathic disorder and no delay in diagnosis. There is no close time association with stress or strain of service. Hence NANA.
17.	W.P.(C) 1986/2025	EX SGT Anil Kumar	CAD ASMI	20	Onset on 13 November 2003 in peace area. No service related trauma/stress or delay in diagnosis or treatment. The condition is held neither attributable to nor aggravated by service.
18.	W.P.(C) 2011/2025	JWO Madan Lal Kaushik	Primary Hypertension	37	Aggravation is conceded when the onset occurs while serving in Fd/CI Ops/HAA. Hence, NANA as per Para 43 of GMO 2008.
19.	W.P.(C) 2093/2025	EX SGT Somnath Pal	Primary Hypertension	20	Onset in peace area and remains in peace area, hence NANA vide Para 43 of GMO 2008.
20.	W.P.(C) 2524/2025	EX Sub Shamsheer Singh	Primary Hypertension	30	Neither attributable to nor aggravated by Mil service as



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					per Para 43 of GMO 2008
21.	W.P.(C) 2732/2025	EX SGT Akhilesh Kumar Mishra	Primary Hypertension	19	Life style disease. Onset of disability in peace area. No close time connection with- HAA/CIOPs/Fd area as per Para 43 of Ch VI of GMO 2008.

10. These appeals stand covered, in identical circumstances, by several decisions rendered by this Court, in which disability pension was denied on identical grounds. Some of the representative decisions may be cited thus:

(i) Primary Hypertension

(a) *UOI v Rajveender Singh Mallhi*⁵

(b) *UOI v Ravish Babu*⁶

(c) *UOI v SGT Harvinder Singh Negi*⁷

(d) *UOI v Koutharapu Srinivasa*⁸

(e) *UOI v Jyoti Kumar Singh*⁹

(f) *UOI v Lt Col V Raveendran Kutty*¹⁰

(ii) Diabetes Mellitus Type II

(a) *UOI v Vijay Kumar*¹¹

⁵ 2025 SCC OnLine Del 3956

⁶ 2025 SCC OnLine Del 3957

⁷ 2025 SCC OnLine Del 4806

⁸ 2025 SCC OnLine Del 4292

⁹ 2025 SCC OnLine Del 4222

¹⁰ 2025 SCC OnLine Del 3004

¹¹ 2025 SCC OnLine Del 3969



- (b) *UOI v Ashok Kumar Pandey*¹²
- (c) *UOI v Sayan Panja*¹³
- (d) *UOI v Rajesh Kumar*¹⁴
- (e) *UOI v GP Capt. Santosh Kumar*¹⁵
- (f) *UOI v EX SGT Kunal Palit*¹⁶

- (iii) Coronary Artery Disease
 - (a) *UOI v EX JWO Dharmendra Prasad*¹⁷
 - (b) *UOI v MWO Jahangeer Alam*¹⁸
 - (c) *UOI v EX JWO Vinay Rathee*¹⁹
 - (d) *UOI v EX JWO SK Srivastava*²⁰

- (iv) Primary Hypertension with Retinopathy
*UOI v EX WO Hira Lal Prasad*²¹

- (v) Diabetes Mellitus Type II and Primary Hypertension
 - (a) *UOI v Mani Lal Prasad*²²
 - (b) *UOI v HFO MWO Raj Bhanu Singh*²³

¹² 2025 SCC OnLine Del 2908

¹³ 2025 SCC OnLine Del 2910

¹⁴ WP C 9470/2025 dt. 10 July 2025

¹⁵ 2025 SCC OnLine Del 3218

¹⁶ 2025 SCC OnLine Del 4961

¹⁷ 2025 SCC OnLine Del 2549

¹⁸ 2025 SCC OnLine Del 2434

¹⁹ 2025 SCC OnLine Del 3583

²⁰ 2025 SCC OnLine Del 4909

²¹ 2025 SCC OnLine Del 2689

²² 2025 SCC OnLine Del 3958

²³ 2025 SCC OnLine Del 3223



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(c) *UOI v CDR Sudesh Kumar Sharma*²⁴

(d) *UOI v GP Capt Girish Kumar Johri (Retd)*²⁵

11. The reasons for our disinclination to interfere with the decision of the Tribunal are forthcoming in the individual judgements passed by us, and we do not deem it necessary to burden this order by a reiteration thereof. Suffice it to state that learned Counsel for the UOI, in these petitions, too, was unable to urge that these cases are not covered by our earlier decisions. In fact, as already noted, they fairly conceded that the issues stood covered.

12. Following the aforesaid, all these writ petitions are dismissed. The petitioners are directed to implement the orders passed by the Tribunal within a period of eight weeks from today.

C. HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

AUGUST 5, 2025/aky

²⁴ 2025 SCC OnLine Del 4840

²⁵ 2025 SCC OnLine Del 4960