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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 9603/2025, CM APPL. 40366/2025, CM APPL.
40367/2025 & CM APPL. 40368/2025

UNION OF INDIA & ORS.Petitioners

Through: Mr. Shashank Bajpai, CGSC.

versus

EX LS (UW) RAMAN SINGHRespondent

Through:

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE AJAY DIGPAUL

JUDGMENT (ORAL)

% **11.07.2025**

C. HARI SHANKAR, J.

1. We are, at the outset, constrained to note that, though the points raised by Mr. Bajpai, learned Counsel for the Union of India, have been considered and rejected by us in umpteen judgments, and several learned Counsel for the Union of India have conceded this position in many number of petitions which have come before us earlier to this, Mr. Bajpai still insists on re-arguing the same point.

2. The issue involved is with respect to the respondent's entitlement to disability pension on the ground of primary hypertension, for which he was assessed as suffering from disability @ 30% for life.

3. The petitioner joined service with the Navy on 27 January 2004.



The onset of his primary hypertension was admittedly eight years thereafter, and it was seven years thereafter that he was discharged from service on that ground. It is an admitted position that, at the time of his induction in service, there is no recording of the petitioner suffering from primary hypertension.

4. The case of the petitioner was referred to the Release Medical Board to consider his case for grant of disability pension. The reasoning of the Medical Board is reproduced in para 5 of the impugned judgment and reads thus:

“5. The learned counsel for the respondents on the other hand places reliance on the reasons opined in Part V in opinion of the Medical Board to the effect :-

PART V

OPINION OF THE MEDICAL BOARD

1.Casual Relationship of the disability with service conditions or otherwise				
Disability	Attributable service (Y/N)	Aggravated by service (Y/N)	Not connected with service (Y/N)	Reasons/cause/specific conditions and period in service.
PRIMARY HYPERTENSION	NO	NO	YES	Onset of ID: Jan 2012. While serving in peace area (Delhi). There is no close time association with HAA/CI Ops area and Fd. Hence ID conceded as neither attributable nor aggravated by service as per Para 43, Chapter VI, GMO's (Mil Pension), 2008 amendment.

5. Mr. Bajpai submits that the reasons adduced by the Medical Board are sufficient to make out a case to justify denial of disability



pension to the petitioner.

6. Identical findings of the Medical Board have been dealt with, by us, in the following cases - *Union of India v SGT Harvinder Singh Negi*¹, *Union of India v Koutharapu Srinivasa*², *Union of India v Jyoti Kumar Singh*³, *Union of India v Sheo Narayan Prasad*⁴, *Union of India v Captain Sanjay Kumar*⁵, *Union of India v EX JWO Arvind Kumar*⁶, *Union of India v JWO (Retd) Akhilesh Kumar Jha*⁷, *Union of India v Kamlesh Kumar Singh*⁸, *Union of India v CDR Sudesh Kumar Sharma Retd.*⁹, *Union of India v Santosh Kumar Bisoi*¹⁰ and several others. We have observed in all these decisions that the serving in peace area by an officer, absence of close association with HAA/CIOPS area and Field service do not make out a case to hold that the hypertension was not attributable to or aggravated by service. We have also dealt with para 43 in Chapter VI of the applicable Guidelines in these decisions and had pointed out that para 43(2) does not justify any such finding.

7. The view that has been taken by us in the aforesaid line of decision has now been followed by a Coordinate Bench in *UOI v Balbir Singh*¹¹.

¹ 2025 SCC OnLine Del 4806

² 2025 SCC OnLine Del 4292

³ 2025 SCC OnLine Del 4222

⁴ 2025 SCC OnLine Del 3973

⁵ 2025 SCC OnLine Del 4487

⁶ Judgment Dated 14 May 2025 in WP C 6417/2025

⁷ Judgment Dated 30 May 2025 in WP C 8077/2025

⁸ Judgment Dated 27 May 2025 in WP C 7456/2025

⁹ Judgment Dated 8 July 2025 in WP C 6452/2025

¹⁰ Judgment Dated 22 May 2025 in WP C 7027/2025



8. Besides, the Supreme Court has also in its decision in ***Dharamvir Singh v UOI*** and ***Bijender Singh v UOI***¹² emphasised the fact that, where the candidate was not suffering from the ailment detected at the time when he was inducted in the service and where there is no other cause attributed for the disability, the disability has to be treated as attributable to service.

9. In these circumstances, we are of the view that the petitioner was not justified in seeking to re-canvass, before us, issues of fact and law which stand squarely covered against it.

10. The issue is squarely covered by the aforesaid decisions.

11. We are also of the view that, once the issue has been covered by several judgments of this Bench, the Supreme Court, and now even by the judgment of a Coordinate Bench, compelling Armed Forces personnel to agitate before the Court for obtaining the disability pension which is their just entitlement is completely unjustified.

12. The present petition is, accordingly, dismissed in *limine*.

C. HARI SHANKAR, J.

AJAY DIGPAUL, J.

JULY 11, 2025

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¹¹ Judgment dated 1 July 2025 in WP C 140/2024

¹² 2025 SCC OnLine SC 895