



2025:DHC:2455-DB



\$~2 (Spl. Bench)

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

Date of decision: 08.04.2025

+ W.P.(C) 14096/2024 & CM APPL. 58978-80/2024
UNION OF INDIA AND ORSPetitioners
Through: Mr.Ashish K.Dixit, CGSC,
Mr.Shivam Tiwari, Ms.Urmila
Sharma, Ms.Deepika Kalra,
Ms.Venni Kakkar, Advs.

versus

BATHULA RAJESH MCAA II RETDRespondent
Through: Ms.Shakti Jaidwal, Adv.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
HON'BLE MS. JUSTICE SHALINDER KAUR

NAVIN CHAWLA, J. (ORAL)

1. By an Order dated 16.12.2024, we had taken note of the following submissions of the learned counsel for the respondent:

"1. The learned counsel for the respondent has drawn our attention to the Categorization Medical Board proceedings, wherein, it had been opined that the disability suffered by the respondent is aggravated by service, by giving the following reasons:

"18. If not directly attributable to service, was it aggravated by service?, if so please explain? Yes. The Sailor has been carrying out the duties of in-charge AE Section of front line (operational) squadron INAS 312 since Apr 2005. The duties elaborated in the certificate issued by the



Commanding Officer, INAS 312 can put severe stress and strain on the individual and could be reasons for aggravation of the disability.”

2. He submits that the Release Medical Board, however, disregarding the opinion of the Commanding Officer, has categorized the disability suffered by the respondent as not attributable to service only because the respondent had not served in any field area one year before or after the onset of the disease. He submits that this is a new condition being introduced into the guidelines by the Medical Board.”

2. The learned counsel for the petitioners, today, concedes that the Initial Medical Board proceedings had indeed held the disability of primary hypertension suffered by the respondent, to be aggravated by service conditions. We find that the RMB had given no reasons to deviate from the said opinion, which till then had remained unchallenged.

3. Keeping in view the above, we find no merit in the present petition. The same is accordingly dismissed with costs of Rs.15,000/- to be paid by the petitioners to the respondent.

4. The pending applications are also disposed of as having been rendered infructuous.

NAVIN CHAWLA, J

SHALINDER KAUR, J

APRIL 8, 2025/Arya/SJ

[Click here to check corrigendum, if any](#)