



2025:DHC:11609-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 19191/2025, CM APPL. 79950/2025, CM APPL.
79951/2025 & CM APPL. 79952/2025

UNION OF INDIA & ORS.

.....Petitioners

Through: Mr. Vijay Joshi, CGSC, Mr.
Kuldeep Singh, Adv. Sgt Manish Kumar
Singh and Sgt Mritunjay, DAV Legal Cell
Air Force

versus

769409 EX JWO NARESH CHAND DABRALRespondent
Through:

CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR
HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT (ORAL)
18.12.2025

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C. HARI SHANKAR, J.

1. This writ petition assails an order dated 9 October 2024 passed by the Armed Forces Tribunal¹ in OA 3866/2023 whereby the respondent's prayer for disability pension has been allowed.

2. Disability pension was sought on the ground that the respondent suffered from Primary Hypertension which was certified as 30% for life, rounded off to 50%. The onset of the Primary Hypertension was 23 years after the respondent joined the service. No Primary



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Hypertension was noted at the time when the respondent was recruited.

3. The reasoning given by the Release Medical Board for holding that the respondent's Primary Hypertension was not attributable to or aggravated by service read thus:

“Onset in peace area and remained in peace area only prior to onset of disability. There is no close time relationship with HAA/Fd/CI Ops Area. Hence neither considered attributable to nor aggravated by the conditions of service vide Para 43 of GMO MIL pension (amendment)2008.”

4. In 217 similar cases, in which the reasoning of the RMB is substantially the same, including *Union of India v. Ex. SGT Manoj K L Retd²* and *Union of India v. Rajveender Singh Mallhi³* as well as in *Union of India v. Ex Sub Gawas Anil Madso⁴*, we have upheld the order of the AFT and dismissed the writ petition.

5. Those decisions apply, *mutatis mutandis*, to the present case.

6. We have not been informed that any of these decisions has been stayed or interfered with by the Supreme Court.

7. This dispute is entirely covered by the aforesaid decisions.

8. The writ petition is accordingly dismissed.

² 2025 SCC OnLine Del 8442

³ 2025 SCC OnLine Del 3956

⁴ 318 (2025) DLT 711



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9. Compliance with the order of the AFT be positively ensured within six weeks from today.

C. HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

DECEMBER 18, 2025/yg

Signature Not Verified

Digitally Signed By: AWP.(C) 19191/2025
KUMAR
Signing Date: 23.12.2025
19:42:31

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