



2025:DHC:11610-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 19192/2025, CM APPL. 79954/2025, CM APPL. 79955/2025

UNION OF INDIA AND ORS

.....Petitioner

Through: Ms. Arti Bansal CGSC with Ms
Shruti Goel Advocate, Major Anish
Muralidhar Army

versus

EX NB/SUB PAWAN KUMAR SINGH
(JC292956X)

....Respondent

Through: Mr. Ajit Kakkar Mr Tejas
Bhonge Advocates

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

JUDGMENT (ORAL)

% **18.12.2025**

C. HARI SHANKAR, J.

1. This writ petition assails an order dated 26 September 2024 passed by the Armed Forces Tribunal¹ in OA 2510/2023 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 18 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:

“Dis PRIMARY HYPERTENSION (1-10) - Held NANA due to

(a) This disability is an idiopathic disease having a genetic basis/ life style related as per current medical literature. Thus it has no causal relationship with military service/ job profile of indi. Hence held not attributable to service. Further, it has been held not attributable during initial med bd dt 14 Dec 2021.

(b) Disability is held not Aggravated due to: -

(i) Onset of disability occurred at Meerut (UP) on Dec 2021 vide medical board dt 14 Dec 2021. No immediate prior exposure to stress/ strain due to exposure to high altitude/ field area/CI Ops is documented. Thus close time association with stress/ strain of mil service is not present in this case. Further, disability has been held not aggravated during initial med bd.

(ii) No material aggravation is noted as evidenced by absence of target organ damage at RMB.

(iii) Indi has been provided treatment along with employment restrictions from onset till RMB to prevent aggravation.

Auth- Para 43, Chap VI of GMO and best available medical evidence.”

4. In 216 similar cases, in which the reasoning of the RMB is substantially the same, including *Union of India v. Ex. SGT Manoj K L Retd*² and *Union of India v. Rajveender Singh Mallhi*³ as well as in

¹ “AFT”, hereinafter

² 2025 SCC OnLine Del 8442

³ 2025 SCC OnLine Del 3956



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*Union of India v. Ex Sub Gawas Anil Madso*⁴, 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.
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