



2025:DHC:11611-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 19236/2025, CM APPL. 80262/2025, CM APPL. 80263/2025, CM APPL. 80264/2025

UNION OF INDIA & ORS.

.....Petitioners

Through: Mr. Vijay Joshi, CGSC with,
Mr. Vikas Sharma, SPC, Mr. Kuldeep
Singh, Mr. Chetan Jadon, GP, Mr. Vansh
Jadon, Adv. Sgt Manish Kumar Singh and
Sgt Mritunjay, DAV Legal Cell Air Force

versus

23900 GP CAPT B N SHARMA -RETD

.....Respondent

Through:

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 29 May 2024 passed by the Armed Forces Tribunal¹ in OA 345/2023 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 found to be 30% for life rounded off to 50%. The onset of the Primary Hypertension was



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26 years after the respondent joined the service. No Primary 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:

“It is a life style related disorder with onset in peace (Apr 19/New Delhi). No close time association of military service in its onset & progression. Hence NANA as per Para 43 of GMO 2008.”

4. In 215 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 *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.

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) 19236/2025
KUMAR
Signing Date: 23.12.2025
18:29:10

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