



2025:DHC:11808-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 19376/2025, CM APPL. 80821/2025 & CM APPL. 80822/2025

UNION OF INDIA & ORS.Petitioners
Through: Mr. Harsh Kumar, SPC with
Mr. Shekhar Kumar, Ms. Sikha Gogoi and
Mr. Neel Kumar Sharma, Advs.

versus

241302-1 MWO (HFO) PT
PHILIPOSE, RETDRespondent
Through: Mr. Baljeet Singh, Mr. AK
Chaudhary and Ms. Deepika Sheoran, Advs.

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

ORDER (ORAL)
22.12.2025

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C. HARI SHANKAR, J.

1. This writ petition assails order dated 3 November 2023 passed by the Armed Forces Tribunal¹ whereby the respondent's claim to disability pension on the ground that he suffers from Primary Hypertension has been allowed.

2. The issue is otherwise fully covered by the judgments rendered by this Bench in as many as 219 decisions including *Union of India v. Ex. SGT Manoj K L Retd²* and *Union of India v. Rajveender Singh*

¹ "AFT" hereinafter
² 2025 SCC OnLine Del 8442



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*Mallhi*³ as well as in *Union of India v. Ex Sub Gawas Anil Madso*⁴, we have upheld the order of the AFT and dismissed the writ petition.

3. The only aspect which was a point of contention before the AFT was that the extent of disability had been assessed by the medical board by 15 to 19%. However, the AFT has dealt with this matter by pointing out that as per GMO, 2002, any assessment of disability in the case of Primary Hypertension has to be to the extent of 30% or more.

4. In that view of the matter, given the limited peripheries of Article 226 of the Constitution of India, no case for interference with the impugned order is made out. The writ petition is dismissed.

5. Let compliance with the order of the AFT be ensured within 12 weeks from today.

C. HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

DECEMBER 22, 2025/AR

³ 2025 SCC OnLine Del 3956

⁴ 318 (2025) DLT 711