



2025:DHC:11897-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 19524/2025, CM APPL. 81481/2025, CM APPL.
81482/2025 & CM APPL. 81483/2025.

UNION OF INDIA & ORS.Petitioners
Through: Mr. Premtosh K. Mishra, CGSC
with Mr. Shrey Sharma, Mr. Prarabdh
Tiwari, Adv.

versus

CDR MAHIPAL SINGH RETDRespondent
Through: Mr Devendra Kumar, Adv.

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

JUDGMENT (ORAL)
23.12.2025

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C. HARI SHANKAR, J.

1. This writ petition assails an order dated 5 July 2023 passed by the Armed Forces Tribunal¹ in OA 1677/2018 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 34 years after the respondent joined the service. No Primary Hypertension was noted at the time when the respondent was



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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:

“Primary Hypertension (ICD) 1.10.0 - Vide GMO-08 (Military Pension- Chapter VI Para 43”

4. In 220 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. Mr. Premtosh K. Mishra, learned CGSC for the Union of India fairly acknowledges that this dispute is entirely covered by the aforesaid decisions.

8. The writ petition is accordingly dismissed in *limine*.

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 twelve weeks from today.

C. HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

DECEMBER 23, 2025/dsn