



2025:DHC:11895-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 19565/2025, CM APPL. 81743/2025 & CM APPL. 81744/2025

UNION OF INDIA AND ORS

.....Petitioners

Through: Ms. Shagun Shahi Chugh, SPC
with Mr. Varun Chugh, Ms. Kavya Roy
Choudhury, Advs.

Sgt Manish Kumar Singh and Sgt Mritunjay,
DAV Legal Cell Air Force

versus

EX MWO (HFO) ANAND
SINGH CHAUHAN

.....Respondent

Through: Mr. RN Bansal with Mr. Baljeet
Singh, Advs.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT (ORAL)

% **23.12.2025**

C. HARI SHANKAR, J.

1. This writ petition assails an order dated 6 September 2023 passed by the Armed Forces Tribunal¹ 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 and Diabetes Mellitus II which was found to be 30% and 20%, respectively for life rounded off to 50%. The onset of the Primary Hypertension and Diabetes Mellitus II



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was 37 years after the respondent joined the service. No Primary Hypertension and Diabetes Mellitus II 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 and Diabetes Mellitus II was not attributable to or aggravated by service read thus:

"Diabetes Mellitus Type II (old) E11, Z09.0: Onset at peace station Palam. There is no delay in diagnosis and there is no stress and strain of filed/HAA/CI ops services. Para 26 of chapter VI GMO (Mil Pen) 2008 refers.

Primary Hypertension (old) I10.0, Z09.0: Onset at peace station Bangalore. There is no delay in diagnosis and there is no stress and strain of filed/HAA/CI ops services. Para 43 of chapter VI GMO (Mil Pen) 2008 refers."

4. In 240 similar cases, in which the reasoning of the RMB is substantially the same, including *Union of India v. CDR Sudesh Kumar Sharma²* and *Union of India v. Col. Sanjay Singh (Retd.)³* as well as *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. Ms. Shagun Shahi Chugh, learned SPC for the Union of India,

² 2025 SCC OnLine Del 4840

³ 2025 SCC OnLine Del 7543

⁴ 318 (2025) DLT 711



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fairly acknowledges that this dispute is entirely covered by the aforesaid decisions.

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