



2025:DHC:11893-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**+ **W.P.(C) 19607/2025, CM APPLs. 81958/2025 & 81959/2025****UNION OF INDIA & ORS.**

.....Petitioners

Through: Mr. Himanshu Pathak, SPC
with Mr. Chetan Sharma, Adv. for UOI with
Sgt. Manish Kumar Singh and Sgt.
Mritunjay, (Legal Cell) Air Force

versus

GP CAPT VIJAY ARVIND KULKARNI

.....Respondent

Through: Mr. Baljeet Singh, Ms. Deepika
Sheoran and Mr. Abhishek Gahlyan, Advs.

CORAM:**HON'BLE MR. JUSTICE C. HARI SHANKAR****HON'BLE MR. JUSTICE OM PRAKASH SHUKLA****JUDGMENT (ORAL)**

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23.12.2025**C. HARI SHANKAR, J.**

1. This writ petition assails an order dated 12 May 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 was 32 years after the respondent joined the service. No Primary Hypertension and Diabetes Mellitus II were noted at the time when the

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2025:DHC:11893-DB



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:

“Primary Hypertension I10.0, Z09.0: Life Style Disease, Onset in Peace, No delay in diagnosis and treatment, No close connection with HAA, CIOPS/FA (Refer Para 43 Chapter VI of GMO 2008).

Type II Diabetes Mellitus E11, Z09.0: Life Style Disease, Onset in Peace, No delay in diagnosis and treatment, No close connection with HAA, CIOPS/FA (Refer Para 26 Chapter VI of GMO 2008).”

4. In 240 similar cases, in which the reasoning of the RMB is substantially the same, including *Union of India v. CDR Sudesh Kumar Sharma*² and *Union of India v. Col Sanjay Singh (Retd.)*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 4840

³ 2025 SCC OnLine Del 7543

⁴ 318 (2025) DLT 711they



2025:DHC:11893-DB



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/aky

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Page 3 of 3