



2025:DHC:11951-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 19681/2025, CM APPL. 82134/2025 and CM APPL. 82135/2025

UNION OF INDIA & ORS.

.....Petitioners

Through: Mr. Raj Kumar, CGSPC with
Mr. Manish Kumar Singh and Mr.
Mritunjay, Advs.

versus

A EX JWO RAMESH KUMAR RETD.

.....Respondent

Through:

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

JUDGMENT (ORAL)

% **24.12.2025**

C. HARI SHANKAR, J.

1. This writ petition assails an order dated 31 May 2023 passed by the Armed Forces Tribunal¹ in OA 1827/2019 whereby the respondent's prayer for disability pension has been allowed.

2. Disability pension was sought on the ground that the respondent suffered from Diabetes Mellitus II, which was found to be 20% for life rounded off to 50%. The onset of the Diabetes Mellitus II was 19



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

“Type 2 Diabetes Mellitus Type (old) ICD-E11.0: NANA, as the disability is idiopathic/life style related disorder and no close time association with stress/strain of field/HAA/CI OPS service. As onset of disability in MFA. Hence not attributable to/not aggravated by service in terms of Para 26 of Chapter VI of GMO 2008 (Amended).”

4. In 81 similar cases, in which the reasoning of the RMB is substantially the same, including *Union of India v. GP Capt S Kumaran*², *Union of India v. Satish Chandra Mishra*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. Mr. Raj Kumar, learned CGSPC for the Union of India, fairly acknowledges that this dispute is entirely covered by the aforesaid decisions.

² 2025 SCC OnLine Del 7589

³ 2025 SCC OnLine Del 8361

⁴ 318 (2025) DLT 711



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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 24, 2025/yg