



2025:DHC:11079-DB



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

+ **W.P.(C) 18549/2025, CM APPLs. 77071/2025 & 77072/2025**

UNION OF INDIA & ORS.

.....Petitioners

Through: Mr. Piyush Beriwal, Sr. PC
with Ms. Ruchita Srivastava, Adv. for UOI
with Major Anish Muralidhar (Army)

versus

EX SUB ASOK M S NO JC 763698H

.....Respondent

Through: Mr. O.P. Punia and Mr. Ashish
Punia, Advs.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT (ORAL)

08.12.2025

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C. HARI SHANKAR, J.

1. This writ petition assails an order dated 30 October 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 which was found to be 30% for life rounded off to 50%. The onset of the Primary Hypertension was 28 years after the respondent joined the service. No Primary



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Hypertension 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 was not attributable to or aggravated by service read thus:

“Onset in peace 10 May 2010. No close time association with service in Fd/CI Ops/HAA. No delay in diagnosis or treatment. Hence NANA. (Para 43, CH-VI, GMO-2008)”

4. In 207 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 *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. This dispute is entirely covered by the aforesaid decisions.

8. The writ petition is accordingly dismissed.

9. Compliance with the order of the AFT be positively ensured

² 2025 SCC OnLine Del 8442

³ 2025 SCC OnLine Del 3956

⁴ 318 (2025) DLT 711



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within six weeks from today.

C. HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

DECEMBER 8, 2025/aky

Signature Not Verified

Digitally Signed By: **AWIP.(C) 18549/2025**
KUMAR
Signing Date: 10.12.2025
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