

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

WP (C) No. 2316/2025

Date of pronouncement: 10.02.2026

Date of uploading: 11.02.2026

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| <p>1. Union of India th. its Secretary to Govt. of India, Ministry of Defence, South Block, New Delhi-110011.</p> <p>2. Additional Director, General Personnel Services, Adjutant General's Branch, Integrated HQ of Ministry of Defence (Army), DHQ PO, New Delhi-110001.</p> <p>3. Principal, Controller of Defence Accounts (Pension), Draupadi Ghat, Allahabad, Uttar Pradesh-211014.</p> | <p>.....Applicant(s)/Petitioner(s)</p> |
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Through :- Mr. Vikas Sharma, Sr. Panel Counsel

v/s

No. SC-00339N Col Virender Kumar Sharma,
S/o Sh. Mulkh Raj, R/o Village Bagdal Klan,
P/o Sohal, Tehsil Akhnoor, District Jammu.

.....Respondent(s)

Through :- Mr. Rajnish Raina, Sr. Advocate with
Mr. Om Goswami, Advocate
Mr. P. L. Sharma, Advocate
Mr. Prabhat Sangotra, Advocate

**CORAM: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE
HON'BLE MR. JUSTICE SANJAY PARIHAR, JUDGE**

ORDER
10.02.2026

Sanjeev Kumar 'J'

1. The issue raised in this petition is squarely covered by our judgment dated 03.11.2025, passed in "*Union of India and others Vs. Nirman Singh Jamwal*" in WP(C) No. 3173/2023 along with clubbed matters, wherein the disabilities like the present one i.e. "PRIMARY HYPERTENSION" has been held aggravated by the Military services and, therefore, the personnel suffering from such disability cannot be denied the disability pension on the ground that

the disability is neither attributable to nor aggravated by the military services. That apart we have gone through the judgment passed by the Tribunal and concur with the view taken by the Tribunal that opinion of the Release Medical Board, based on its finding that the disability has occurred in the peace area and, therefore, not attributable to or aggravated by the army service, is flawed.

2. For these reasons, we find no merit in this petition and the same is, accordingly, **dismissed**.

(Sanjay Parihar)
Judge

(Sanjeev Kumar)
Judge

JAMMU
10.02.2026
Vishal Sharma

