



CWP-5842-2025

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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Date of Decision :27.04.2026

Union of India and others

...Petitioners

Versus

Harjinder Singh and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR**

Present: Ms. Neha Jain, Sr. Panel Counsel
for the petitioners-UOI.

Mr. Sandeep Bansal, Advocate for respondent No.1.

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Harsimran Singh Sethi, J. (Oral)

1. In the present petition, the challenge is to the order dated 17.05.2023 passed by the respondent No.1-Armed Forces Tribunal, Regional Bench, Chandigarh, (hereinafter referred to as 'the Tribunal') by which, the respondent No.1 has been granted benefit of continuity in service and seniority for the purpose of pensionary and other retiral benefits by treating him as having served notionally.

2. Learned counsel for the petitioners argues that without considering factum qua the actual service rendered by respondent No.1 and the punishment of forfeiture of service, the required 15 years service to earn service pension was not completed, which fact has been ignored by the

Tribunal while granting the benefit of pension from the admissible date



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hence, the impugned order passed by the Tribunal may kindly be set aside.

3. Learned counsel for the respondents submits that the said issue was raised before the Coordinate Bench of this Court in ***CWP-732-2025 titled as The Union of India and others vs. Ex. Sep. Jarnail Singh and another decided on 12.05.2025*** wherein, the similar order passed by the Tribunal has already been upheld though, modified to the extent that arrears will only be admissible from the date of filing of petition before the Tribunal.

4. We have heard learned counsel for the parties and have gone through the record with their able assistance.

5. Learned counsel for the petitioners has not been able to dispute the fact that the issue raised in the present petition is covered by the judgment passed by the Coordinate Bench of this Court in ***CWP-732-2025 titled as The Union of India and others vs. Ex. Sep. Jarnail Singh and another decided on 12.05.2025***.

6. Keeping in view the above, present petition is disposed of in terms of the order passed by the Coordinate Bench of this Court in ***CWP-732-2025 titled as The Union of India and others vs. Ex. Sep. Jarnail Singh and another decided on 12.05.2025***. However, the arrears will only be admissible from the date of approaching the Tribunal i.e. 28.01.2017 onwards only.

7. Civil miscellaneous application pending, if any, is also disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(YASHVIR SINGH RATHOR)
JUDGE

April 27 2026

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Whether speaking/reasoned : Yes
Whether reportable : No