



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

Date of Decision: 09.03.2026

116

CWP-6825-2026

UNION OF INDIA AND ORS

...Petitioners

Versus

EX SUB (HONY SUB MAJOR) PUSHPINDER KUMAR AND ANR

...Respondents

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CWP-6872-2026

UNION OF INDIA AND ORS

...Petitioners

Versus

NO 3959708 W EX HAVILDAR DHARAM CHAND AND ANR

...Respondents

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CWP-6945-2026

UNION OF INDIA AND ORS

...Petitioners

Versus

KISHAN LAL AND ANR

...Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

Present:- Mr. Shubham Thakur, Senior Panel Counsel,
for the petitioners in CWP-6825-2026.

Ms. Promila Nain, Senior Advocate; Senior Panel Counsel with
Mr. Angel Walia, Advocate, for the petitioners.
(in CWP-6872-2026).

Ms. Krishna Dayama, Senior Panel Counsel,
for the petitioners (in CWP-6945-2026). (through V.C.)

HARSIMRAN SINGH SETHI, J. (ORAL)

1. By this order, we propose to dispose of aforementioned three writ petitions i.e. CWP-6825-2026, CWP-6872-2026 and CWP-6945-2026 by a common order as the issue involved in these writ petitions is the same.



With the consent of learned counsel for the parties and for the sake of convenience, facts are being taken from CWP-6825-2026.

2. In the present petition, the challenge is to the impugned order dated 24.07.2024 (Annexure P-1) passed by the Armed Forces Tribunal, Regional Bench, Chandigarh (hereinafter referred to as 'Tribunal'), by which, respondent No.1 has been allowed the benefit by rounding off the disability element from 30 % to 50 % w.e.f. 01.08.2015 to 31.12.2015.

3. The only argument raised by the learned counsel for the petitioners is that respondent No.1 is not entitled to the benefit of rounding off for the grant of disability pension from 30% to 50% thus, the grant of benefit of disability pension to respondent @ 50% by placing reliance upon the judgment of Hon'ble Supreme Court of India in **Union of India and others vs. Ram Avtar, 2014 SCC Online SC 1761**, is incorrect and facts of the present case have not been appreciated in its correct perspective by the Tribunal while passing the impugned order dated 24.07.2024 (Annexure P-1).

4. We have heard learned counsel for the petitioners and have perused the case file with his able assistance.

5. It is a conceded fact that respondent No. 1 was found entitled for disability pension qua the disability of primary hypertension suffered by him while he was in service, which disability was held to be attributable to military service as per the report of the Medical Board, qua which he was being paid disability pension from 01.08.2015 @ 30%. The claim raised by the respondent No.1 is only to round off the disability of 30% to 50% w.e.f. 01.08.2015 along with arrears, which benefit has been allowed by the



Tribunal.

5. As per the settled principle of law settled by Hon'ble Supreme Court of India in ***Union of India and others vs. Ram Avtar***, 2014 SCC Online SC 1761, wherein it has been held that an Armed Forces personnel is entitled to be granted the benefit of rounding off with regard to disability pension, irrespective of the fact that he was invalidated out of service, or retired on attaining the age of superannuation or on completion of his tenure of his engagement, if found to be suffering from some disability which is attributable or aggravated by the Military service. Relevant paras of the judgment in ***Ram Avtar's*** case (supra) are as under:-

“4. By the present set of appeals the appellant(s) raise the question, whether or not, an individual, who has retired on attaining the age of superannuation or on completion of his tenure of engagement, if found to be suffering from some disability which is attributable to or aggravated by the military service, is entitled to be granted the benefit of rounding-off of disability pension. The appellant(s) herein would contend that, on the basis of Circular No. 1(2)/97/D(Pen-C) issued by the Ministry of Defence, Government of India, dated 31.01.2001, the aforesaid benefit is made available only to an Armed Forces Personnel who is invalidated out of service, and not to any other category of Armed Forces Personnel mentioned hereinabove.

5. We have heard learned counsel for the parties to the lis.

6. We do not see any error in the impugned judgment(s) and order(s) and therefore all the appeals which pertain to the concept of rounding-off of the



disability pension are dismissed, with no order as to costs.

7. The dismissal of these matters will be taken note of by the High Courts as well as by the Tribunals in granting appropriate relief to the pensioners before them, if any, who are getting or are entitled to the disability pension.”

6. The Hon’ble Supreme Court of India in recent judgment passed in Civil Appeal No.11311 of 2025, decided on 01.09.2025 titled as **Union of India and others vs. Reet MP Singh and another**, that the grant of benefit of rounding off the disability as per **Ram Avtar’s** case (supra) has again been upheld, which fact has gone un-rebutted at the hands of the petitioners.

7. Learned counsel for the petitioners has not been able to dispute the said proposition of law having been settled by the Hon’ble Supreme Court of India in **Ram Avtar’s** case (supra) and **Reet MP Singh’s** case (supra).

8. Keeping in view the settled principle of law settled in **Ram Avtar’s** case (supra) and **Reet MP Singh’s** case (supra) as well as the facts and circumstances of the present case, rounding off the disability of 30% to 50% w.e.f. 01.08.2015 is permissible.

9. No other argument has been raised.

10. Hence, in the absence of any perversity being pointed out in the impugned orders dated 24.07.2024 (Annexure P-1) in CWP-6825-2026; 03.04.2024 (Annexure P-1) in CWP-6872-2026; and 08.12.2023 (Annexure P-1) in CWP-6945-2026 passed by the learned Tribunal, either on the basis of the facts or the settled principle of law, no ground is made out for any interference by this Court in the facts and circumstances of the present case.



- 11. Accordingly, the writ petitions are dismissed.
- 12. Photocopy of this order be placed on the files of connected cases.

(HARSIMRAN SINGH SETHI)
JUDGE

March 09, 2026
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(VIKAS SURI)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No