



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

228

CWP-19822-2024

Date of Decision : 19.02.2026

Union of India and others**....Petitioners****Versus****Ex. Nk TS Ranjit Singh and another****....Respondents**

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

Present: Mr. S.K.Sharma, Senior Panel Counsel with
Mr. Rajat Sharma, Advocate
for the petitioners.

Mr. Rohit, Advocate for
Mr. Arshit Goel, Advocate
for respondent No.1.

Harsimran Singh Sethi, J. (Oral)

1. In the present petition, the challenge is to the impugned order dated 04.10.2019 (Annexure P-1) passed by respondent No.1 – The Armed Forces Tribunal, Chandigarh, Chandigarh (hereinafter referred to as ‘the Tribunal), by which, the benefit of disability pension has been allowed in favour of respondent No.1 by rounding off the disability element of disability pension from of 30% to 50%.

2. Learned counsel for the petitioners submits that the injury “(a) *Fracture Distal end of radius (R)* (b) *Fracture Sty Load Process*” was suffered by respondent No.1 while on leave in the year 2003 and, therefore, said injury cannot be attributed to the military service so as to grant the



CWP-19822-2024

-: 2 :-

disability pension which fact has been ignored by the Tribunal while granting the relief. Hence, the Tribunal has wrongly allowed the benefit of disability pension by rounding off the same in terms of the judgment of ***Union of India and others vs. Ram Avtar, 2014 SCC Online SC 1761.***

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

4. It may be noticed that after suffering the injury on 25.07.2003, respondent No.1 remained in service for a period of approximately one and half years. The said injury was looked into by the Medical Board appointed by the petitioners and the same was held to be attributable to the military service.

5. Even otherwise, even if it is assumed for the sake of arguments that the injury was not attributable to the military service but, as after suffering the injury, the respondent remained in the service of the petitioners, it can be safely presumed that the same was aggravated by the military service so as to grant the disability pension.

6. Further, with regard to the grievance of petitioners qua the benefit of rounding off of disability granted to respondent No.1, the same issue has been settled by the Hon'ble Supreme Court of India in ***Ram Avtar's case (supra)***, 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



CWP-19822-2024

-: 3 :-

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



CWP-19822-2024

-: 4 :-

pensioners before them, if any, who are getting or are entitled to the disability pension.”

7. Further, in a recent judgment in **Civil Appeal No.11311 of 2025** titled as **Union of India and others vs. Reet MP Singh and another**, decided on 01.09.2025, the Hon’ble Supreme Court of India by placing reliance upon **Ram Avtar’s case (supra)**, has again reiterated that the benefit of rounding off the disability element cannot be denied.

8. 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)** as well as **Reet MP Singh’s case (supra)** to the effect that percentage of disability to be rounded off and when applied in the present case disability of 30% to be rounded off to 50%.

9. Keeping in view the totality of the facts and circumstances, where the Medical Board has already recommended that the injury so suffered by respondent No.1 is attributable to the military service coupled with the fact that after suffering the said injury, the respondent remained in service, which aggravated the injury further, the grant of disability pension by rounding of the disability from 30% to 50% cannot be treated as arbitrary or illegal.

10. Keeping in view the above totality, the order dated 04.10.2019 (Annexure P-1) passed by the Tribunal cannot be treated as perverse either to 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 petition is dismissed.



CWP-19822-2024

-: 5 :-

12. Pending application(s), if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

February 19, 2026
Varinder

(VIKAS SURI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No