



253 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-17401-2025 (O&M)

Date of Decision : 02.04.2026

UNION OF INDIA AND OTHERS

.....Petitioners

VERSUS

ARMED FORCES TRIBUNAL, REGIONAL BENCH,
CHANDIGARH AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Anandeshwar Gautam, Advocate
for the petitioners. (*joined through V.C.*).

Ms. Roopan Atwal, Advocate for respondent No.2.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present petition, challenge is to the impugned order dated 29.07.2022 (Annexure P-1) passed by the respondent No.1-Armed Forces Tribunal, Regional Bench, Chandigarh (hereinafter referred to as 'Tribunal'), by which, the respondent No.2 has been held entitled for the grant of service pension after condoning the deficiency of service equivalent to one year and 105 days.

2. Learned counsel for the parties submit that the issue raised in the present petition with regard to the grant of benefit of condonation of service so as to consider the service of the officer concerned to the minimum of 15 years, which is required for the grant of disability pension including the family pension and thereafter, service pension as the case may be, has already been decided by the Hon'ble the Supreme Court of India while passing judgment in *Union of India and others Versus Balakrishnan*

Mullikote (Ex.HAV 256812 M) Civil Appeal arising out of Diary No.27446

of 2023, decided on 24.03.2026.

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

4. Keeping in view the facts mentioned hereinbefore that issue raised in this petition is covered by the judgment in ***Balakrishnan Mullikote's case (supra)***, the present petition is also ***disposed of*** in the same terms and conditions as held in ***Balakrishnan Mullikote's case (supra)*** and the petitioners are directed to pass an appropriate order with regard to the claim of respondent No. 1 for the grant of service pension as per the judgment passed by ***Balakrishnan Mullikote's case (supra)***.

5. Let the present order be complied with by the petitioners within the period of ***eight weeks*** from the date of receipt of certified copy of this order.

6. It is made clear that in case, any order passed by the petitioners is contrary to the observations given by the Hon'ble Supreme Court of India in ***Balakrishnan Mullikote's case (supra)***, the same will not only be treated perverse to the settled principle of law but will also amount to the contempt of the Court.

7. Miscellaneous application pending, if any, is also disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

02-04-2026
Sapna Goyal

(DEEPAK MANCHANDA)
JUDGE

NOTE: Whether speaking/ reasoned: YES
Whether reportable: NO