



CWP-33066-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-33066-2024

Date of Decision :27.04.2026

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 YASHVIR SINGH RATHOR

Present: Dr. Anandeshwar Gautam Sr. Panel Counsel
for the petitioners-UOI.

Mr. Sandeep Bansal, Advocate for respondent No.2.

* * *

Harsimran Singh Sethi, J. (Oral)

1. In the present petition, the challenge is to the order dated 24.05.2023 passed by the respondent No.1-Armed Forces Tribunal, Regional Bench, Chandigarh, (hereinafter referred to as 'the Tribunal') by which, a direction had been issued to consider the case of respondent No.2 for grant of notional benefits as well as promotion on merit, if found suitable.

2. Learned counsel for the petitioners argues that without considering the fact that respondent No.2 was discharged being undesirable soldier in view of six red ink entries and that the actual service rendered at the time of discharge was only 11 years, 09 months and 21 days including 547 days of non-qualifying service. Thus factum of the required 15 years of

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qualifying service being not completed by respondent No.2 required for the grant of service pension, has been ignored by the Tribunal while giving direction to petitioners to consider claim of respondent No.2 for grant of notional benefits, 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. 15.04.2013 onwards only.

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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.