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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 1397/2023**
EX CADET SHUBHAM BISHT

.....Petitioner

Through: Ms. Pallavi Awasthi, Adv.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Amit Gupta, SPC, Mr. Vidur
Dwivedi, Adv. and Cdr. Vikram
Srivastava and Lt. Cdr. Aakarshan
Aggarwal.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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14.01.2026

1. This petition has been filed with the following prayers:-

“a) To set aside the letter dated 24.12.2019 issued by the respondents.

b) To direct the respondents to grant the disability pension along with arrears to the applicant from the date of his discharge by treating his disability as attributable and aggravated by the military service.

c) To direct the respondent to conduct medical board of the petitioner to assess degree of disablement.

d) To direct the respondents to grant the benefit of rounding off disability of the applicant from @20% to @50% in terms of law settled by Hon'ble Supreme Court of India in Civil Appeal No.418/2012 titled as UOI &Ors. vs. Ram Avtar vide judgment dated



10.12.2014 as well as in a catena of judgments by this Hon'ble Tribunal.

e) To direct the respondents to pay the due arrears of disability pension with interest @18% p.a. with effect from the date of retirement with all the consequential benefits.”

2. The submission of learned counsel for the respondents is that the claim of the petitioner in this petition is for the disability pension, which subject shall lie before the Armed Forces Tribunal (“AFT”).
3. Noting the submission made by the learned counsel for the respondents, we deem it appropriate to transfer this writ petition to the AFT. The record shall be transmitted to the AFT forthwith.
4. The Registrar (AFT) on receipt of the record, after taking orders from the Hon’ble Chairman on the Administrative side shall list the matter before the appropriate Bench on 18.03.2026.
5. For statistical purposes, this petition is disposed of.

V. KAMESWAR RAO, J

MANMEET PRITAM SINGH ARORA, J

JANUARY 14, 2026/sr