



\$~22, 23, 24, 25, 27, 28, 31, 37, 42, 43, 44, 46, 47, 48

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CONT.CAS(C) 1529/2025

(22) EX SGT AKSHAYA KUMAR PATI (RETD)Petitioner

versus

DR NITEN CHANDRA IAS & ORS.Respondents

+ CONT.CAS(C) 1532/2025

(23) EX SGT BINOY TDPetitioner

versus

DR NITEN CHANDRA IAS AND ORS & ORS.Respondents

+ CONT.CAS(C) 1543/2025

(24) EX SGT PRAVAT RAVIPetitioner

versus

DR NITEN CHANDRA IAS AND ORSRespondents

+ CONT.CAS(C) 1544/2025

(25) EX SGT PRABHAT KUMAR SRIVASTAVAPetitioner

versus

DR NITEN CHANDRA IAS AND ORSRespondents

+ CONT.CAS(C) 1554/2025

(27) WO DILEEP KUMAR THAKUR RETD.Petitioner

versus

DR NITEN CHANDRA IAS & ORS.Respondents

+ CONT.CAS(C) 1556/2025

(28) EX SGT RAVINDRA KUMARPetitioner

versus

DR NITEN CHANDRA IAS AND ORS & ORS.Respondents

+ CONT.CAS(C) 1569/2025

(31) WO RAMA NAND PANDEY RETDPetitioner

versus

DR NITEN CHANDRA IAS AND ORS.Respondents





Mr. Syed Abdul Haseeb, CGSC and Mohd. Aamir Khan, Adv. for UOI in item no.22.

Mr. Nishant Gautam, CGSC, Mr. Vineet Negi, Mr. Naman Sharma, Ms. Kavya Shukla and Ms. Theresa, Advs. and Mr. Mrityunjay, Officer, IC, Legal Cell in item no.24.

Ms. Amrita Prakash, Adv. for R-2 and 3 in item no.24 (through v/c)

Ms. Avnish Ahlawat, SC, GNCTD in item no.26.

Mr. Naushad Ahmed Khan, Adv. and Mr. Manvinder Singh, Secretary, Punjabi Academy for R-1 in item nos.26, 33, 34 (through v/c)

Mr. Kushagra Kumar, SPC, UOI in item no.27.

Mr. Amit Tiwari, CGSC, Ms. Ayushi Srivastava, Mr. Ayush Tanwar, Mr. Arpan Narwal and Mr. Kushagra Malik, Advs. for UOI in item no.28.

Mr. Shashank Dixit, CGSC and Mr. Kunal Raj, Adv. for UOI in item no.29 (through v/c)

Mr. Ankit Raj, SPC, Mr. Digvijay Singh and Captain K. Sharat Kumar, Advs. for respondent in item no.30.

Mr. Sandeep Kumar Mahapatra, CGSC, Ms. Mrinmayee Sahu, Mr. Tribhuvan, Mr. Abhimanyu Asija, Advs. in item no.32 (through v/c)

Mr. Raj Kumar, CGSC, Ms. Vidhushi Sah, Mr. Mrityunjay, Ms. Vandana Sachdeava, Ms. Vidhushi Sah, Advs. for respondent in item no.40.

Mr. Sujeet Kumar Mishra, Adv. for respondent in item no.40 (through v/c)

Mr. P. S. Singh, CGSC, Mr. Rajnish Sharma, Ms. Shiavangi Sharma and Mr. Pratik, Advs. for respondent in item no.41.

Mr. Vinay Yadav, CGSC, Ms. Kamna Behrani and Mr. Neeraj Raj, Advs., Mr. Vivek Nagar, GP for respondent in item no.42.

Mr. Himanshu Pathak, SPC and Mr. Sanjay Pal, GP and Mr. Chetan Sharma, Adv. for respondent in item no.43.

Ms. Archana Sharma, SPC, UOI in item no.44 (through v/c)

Mr. Piyush Gupta, CGSC, Mr. Atishay Jain and Mr. Vishesh Goel, Advs. for respondent in item no.45.

Mr. Rohan Tripathi, GP, UOI in item no. 46 (through v/c)

SGT Mrityunjay, SGT Padam Charan, Air Force, Legal Cell, UOI in item nos.22, 23, 24, 27, 28, 31, 37, 40, 42, 43, 44, 45, 46, 47, 48.



Ms. Ekta Choudhary, SPC and Ms. Nasreen Khatoon, GP for UOI in item no.47.

Mr. Premtosh Mishra, SPC, Ms. Nasreen Khatoon, GP for UOI in item nos.25, 48.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

11.03.2026

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1. The present petitions have been filed by the petitioners alleging wilful disobedience of the directions contained in the judgment dated 01.07.2025 passed in W.P(C) 140/2024 and other connected matters. The operative directions therein are as under:

“79. Considering all the factors together, it is evident that the mere fact that the onset of the disease occurred during a peace area posting is not sufficient to negate the cumulative stress of military service, which can contribute to the development of diseases such as Primary Hypertension, IHD etc. The RMB 's opinion that the onset took place in a peace station and therefore the disease is not attributable to or aggravated by military service cannot be sustained.

80. Accordingly, we find that the respondents' claim for the disability pension on account of Primary Hypertension, could not be outrightly rejected solely on the basis of the place of the disease's manifestation. In addition thereto, the RMB was under a duty to identify the cause of the disease in its report. In this case, however, it has clearly failed to discharge the onus placed upon it by not providing cogent reasons.

81. In view of the foregoing analysis and Paragraph 84 of the decision in Ex Sub Gawas Anil Madso (supra), which has been reproduced hereinabove, the matters that pertain to Diabetes Mellitus Type II, wherein the RMB has merely opined that the disease is not attributable to or aggravated by military service, solely based on the fact that the onset was at a peace station, cannot be sustained. The learned Tribunal has rightly allowed such O.As.

82. A similar reasoning applies uniformly to each disability under consideration in this batch of petitions. We have perused the RMB proceedings, and their findings are inadequate in all these petitions to justify the conclusion that the disability is neither attributable to nor



aggravated by military service.

83. The learned Attorney General has further contended that in cases where the opinions of the RMBs are found to be unreasoned, the matters ought to be remanded for re-evaluation. Furthermore, it is stated that in many of the petitions, the respondents have not exhausted the mandatory remedies available to them in the form of First and Second appeals and have directly filed O.As. before the learned Tribunal.

84. In ordinary circumstances, we would have agreed with both the above submissions of the learned Attorney General, however, in the present cases, the respondents have been fighting for their entitlement for long and since we have heard the matters at considerable length, it would only be appropriate for this Court to adjudicate them rather than remanding the cases at this stage, which would result in further inconvenience and delay.

85. In view of the aforesaid, and considering the limited scope of the writ jurisdiction in reviewing the orders of the learned Tribunal, no case has been made out warranting interference by this Court with the decision of the learned Tribunal.

86. Accordingly, the present writ petitions stand dismissed.”

2. Mr. Syed Hussain, learned CGSC submits, on instructions, that in CONT. CAS (C) No. 1529/2025, 1569/2025, 1671/2025, 1706/2025, 1788/2025, 1796/2025, requisite Government sanction letters have been issued and expeditious steps are being taken for issuance of PPO whereupon necessary benefits shall be released to the petitioners.

3. It is further submitted that in CONT. CAS (C) No. 1532/2025, 1543/2025, 1544/2025, 1554/2025, 1708/2025, 1714/2025 and 1795/2025 and 1556/2025, the process is underway for implementation of the directions.

4. It is submitted that every attempt shall be made to expedite the process and obtain the Government sanction letter and the PPO. It is assured and undertaken that the benefits to which petitioners are entitled in the



above mentioned matters, shall be disbursed no later than 12 weeks from today. The said statement is taken on record.

5. The present petitions are disposed of, taking on record the aforesaid undertaking/statement.

6. In case there is any deficiency/lapse on the part of the respondents, the petitioner shall be entitled to file appropriate application/revive the present petitions.

SACHIN DATTA, J

MARCH 11, 2026/at