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

+ W.P.(C) 899/2026, CM APPL. 4411/2026 and CM APPL. 4412/2026

UNION OF INDIA THROUGH SECRETARYPetitioner

Through: Ms. Manisha Agrawal Narain,
CGSC.

versus

DEB SINGH

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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22.01.2026

1. Through the present Petition, the Petitioner assails the correctness of the order dated 29.01.2025 [hereinafter referred to as 'Impugned Order'] passed by the Central Administrative Tribunal [hereinafter referred to as 'CAT'], whereby the Petitioner was directed to sanction disability pension to the Respondent along with the compensation.

2. In order to comprehend the issues involved in the present case, the relevant facts in brief are required to be noticed.

3. The Respondent joined as Peon with the Petitioner on 13.07.1971 and was promoted as a Staff Car Driver on 10.02.1972. While serving as Staff Car Driver, the Respondent was diagnosed with Ankylosing Spondylitis in the year 2006 and the Medical Board of Dr. Ram Manohar Lohia Hospital [hereinafter referred to as 'RML Hospital'] found that the Respondent suffers from 50% permanent impairment in relation to his spine. This opinion was affirmed by the



Medical Board on 07.03.2007. Thereafter, on the request of the Respondent, he was asked to discharge the work of Peon, as he was unable to drive. Ultimately, the Respondent retired from Government service, after attaining the age of superannuation, in August 2011.

4. The Respondent, thereafter, filed O.A. No.3110/2019 before CAT for quashing/setting aside the order dated 22.05.2019 passed by the Petitioner whereby the Respondent was declined disability pension and allowances. CAT allowed the said OA and directed the Petitioner to sanction disability pension to the Respondent.

5. Learned counsel representing the Petitioner submits that the Respondent has failed to produce any material to prove that such disability was attributable to his Government service and thus, CAT has erred in granting the disability pension to the Respondent.

6. Learned counsel, while referring to the Certificate issued by the RML Hospital, also submits that such disability is not attributable to Government service.

7. This Court has considered the submissions made by the learned counsel representing the Petitioner.

8. Category 'B' of Schedule II of Extraordinary Pension Rules reads as under:

***Category 'B'.**- Death or disability due to causes which are accepted as attributable to or aggravated by Government service. Diseases contracted because of continued exposure to a hostile work environment, subjected to extreme weather conditions or occupational hazards resulting in death or disability would be examples."*

9. It is evident that Category 'B' of Schedule II of Extraordinary Pension Rules provides for death or disability pension due to two reasons i.e. (i) due to causes which are accepted as attributable to Government service; or (ii) due to causes which are accepted as



aggravated by Government service. The certificate issued by the RML Hospital nowhere certifies that the disability was not aggravated by the Respondent's Government service.

10. There is also no material to prove that in the year 1971, the Respondent was suffering from Ankylosing Spondylitis. After having served with the Department for more than 35 years, the Respondent was diagnosed with the Ankylosing Spondylitis. During this period, the Respondent was working as a Staff Car Driver for more than 34 years and acquired the disability after a significantly long time i.e. after more than three decades from the date of his joining.

11. The Petitioner has also not produced any material to prove that such disease was on account of any other reason. Moreover, the Respondent has only been held entitled to disability pension.

12. In view of the foregoing, this Court does not find any reason to interfere with the Impugned Order.

13. The present Petition, along with the pending applications, is dismissed.

ANIL KSHETARPAL, J.

AMIT MAHAJAN, J.

JANUARY 22, 2026

jai/kb/ad