



CWP-6414-2025 (O&M) -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-6414-2025 (O&M)
Date of Decision: 07.03.2025

Bir Singh

..... Petitioner

Versus

Union of India and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present: Mr. Arshit Goel, Advocate and
Mr. Ajay Sheoran, Advocate for the petitioner.

SANJEEV PRAKASH SHARMA, J (ORAL)

1. Challenge in this writ petition is to the order dated 22.08.2024 passed by the learned Armed Forces Tribunal, Chandigarh (in short referred to as 'Tribunal'), whereby, the claim of the petitioner for grant of invalid pension was rejected.

2. Learned counsel for the petitioner contends that earlier the petitioner was claiming disability pension which was rejected holding that the petitioner's disease was not attributable or aggravated by military services. The respondents have now introduced policy of invalid pension wherein the disease for the reasons for giving the army personnel a pension which is neither attributable nor aggravated by military services. The Scheme had been introduced in 2020 and the application was filed in 2024 which cannot be said to be belated.



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3. Notice of motion.
4. At this stage, Mr. Pardeep Rajput, Senior Panel Counse-UOI accepts notice on behalf of the respondents No.1 to 5 and submits that the matter may be remanded back to the learned Armed Forces Tribunal (for short referred to as 'Tribunal') to be decided on merits.
5. Having noticed the aforesaid aspects, we find that the reasons for rejecting the application of the petitioner is found to be without basis. We carefully now examined the case of the petitioner with regard to grant of invalid pension in terms of the Rules.
6. In view thereto, the application already filed shall stand revived and the matter shall be heard on merits. The petitioner through his counsel shall appear before the Tribunal on 25.03.2025.
7. With the said observations, the present petition is disposed of.
8. The pending misc. application, if any, shall stands disposed of accordingly.

**(SANJEEV PRAKASH SHARMA)
JUDGE**

**(MEENAKSHI I. MEHTA)
JUDGE**

07.03.2025
D.Bansal

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No