



CWP-20761-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(163)

CWP-20761-2025

Date of Decision : 28.07.2025

Union of India and others

...Petitioners

Versus

Ex. Nb. Sub. Mehar Chand Bhadana and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present: Ms. Neha Jaggi, Sr. Panel Counsel
for the petitioners-Union of India.

ASHWANI KUMAR MISHRA, J. (ORAL)

This appeal has been filed by the Union of India on 19.07.2025, challenging an order passed by the Armed Forces Tribunal, Regional Bench, Chandigarh, at Chandimandir (for short, 'the Tribunal') on 24.01.2019 in OA No. 698 of 2017.

2. The respondent (applicant before the Tribunal) was enrolled in the Defence Security Corps (DSC) on 04.11.1996, and he was discharged from service with effect from 30.11.2006 after completing 10 years and 27 days of service. Though he was continued for further extension in service to 13 years, on account of his Low Medical Category S-2 (P), he was not granted further extension in service and was discharged on 30.11.2006. The claim of respondent/applicant for disability pension consisting of service element was accorded by the authorities of the Union of India.

3. The authorities of the Union of India have released only the disability element of disability pension @ 30% with effect from 01.12.2006. Service element in the disability pension was, however, denied. In the claim



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filed before the Tribunal, the Tribunal has relied upon Regulations 266 and 280 in addition to Regulation 179 of the Pension Regulations for the Army, 1961 to hold the respondent entitled to service element also in the disability. The Tribunal has also allowed rounding off in terms of the judgment rendered in Civil Appeal No. 418 of 2012 *Union of India and others vs Ram Avtar*, decided on 10.12.2014.

4. Aggrieved by the judgment of the Tribunal, the Union of India has filed the present writ petition after more than 6 years.

5. No plausible justification for the inordinate delay has been placed on record. Even otherwise, the controversy raised in the matter stands adjudicated by our judgment of even date delivered in CWP No. 1947 of 2025 *Union of India and others vs Ex. Nk. Milap Chand and another*.

6. In view of the reasons assigned by us, in a separate judgment rendered in *Ex. Nk. Milap Chand* (supra), this petition fails and is dismissed.

(ASHWANI KUMAR MISHRA)
JUDGE

(KULDEEP TIWARI)
JUDGE

July 28, 2025
Manpreet/vs

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