IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

207

CWP-37902-2018 (O&M)
Date of decision: 06.02.2025

Parveen Salaria

...Petitioner

VERSUS

Union of India and others

...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Navdeep Singh, Advocate and
Ms. Srishti Sharma, Advocate for the petitioner.

Mr. Somesh Gupta, Sr. Panel Counsel,
for respondent-UOI.

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VINOD S. BHARDWAJ, J. (Oral)

1. Challenging the rejection letter/order dated 24.07.2000 whereby the claim of the petitioner for disability pension/Monthly Ex-gratia Allowance was rejected on the ground that the disability was not attributable to or aggravated by military service, the petitioner has approached this Court.

2. Twin prayer has been made by the learned counsel for the petitioner in the instant writ petition, firstly in relation to grant of Ex-gratia allowance, in terms of the scheme for grant of Ex-gratia award in case of death/disablement of cadets due to causes attributable to or aggravated by military training, as issued by the Government of India, Ministry of Defence vide memo No.1(5)/93/D/(PEN-C) dated 16.04.1996, while the second

prayer for directing the respondents to act upon the recommendation of the Committee of Experts dated 24.11.2015 in relation to grant of disability pension.

3. At the very outset, learned counsel appearing on behalf of the petitioner gives up his prayer for grant of disability pension in terms of recommendations of the Committee of Experts dated 24.11.2015 and confines his prayer only to grant of Ex-gratia award under the notified Scheme dated 16.04.1996.

4. Briefly summarised, learned counsel appearing on behalf of the petitioner contends that consequent upon clearing the UPSC Examination, the petitioner was selected to join the Indian Army as a Commissioned Officer and he joined the Officers Training Academy (**OTA**) on 03.05.1999 as a Gentlemen Cadet No.20347. He contends that during the course of strenuous physical training, the petitioner developed the disability of "***Osteoarthritis of Right Hip Joint and Avascular Necrosis of Head of Femur.***" The medical authorities recorded that the said disability developed after training and running and as a direct result of fall during the "***race back***" in a military cross-country race during a *bona fide* military training exercise. The disability was assessed to be progressive and could further be worsened by continued military training. The same was recorded by the respondent-authorities to be a disability that was attributable to and aggravated by the military service itself. The petitioner was first placed in low medical category, but was finally invalidated out of service on 17.11.1999 on worsening of his medical conditions.

5. The counsel argues that no Ex-gratia allowance/disability pension etc. were sanctioned to the petitioner, even though the disability was traceable to the circumstances that were attributable to the military service and had been aggravated as a result thereof, hence, the petitioner submitted a representation to the respondent-authorities but the claim was rejected by the respondents vide the impugned communication dated 24.07.2000 for the following reasons:-

"**CLAIM TO DISABILITY PENSION IN RESPECT OF EX-GC PARVEEN SALARIA**

1. Ref. your application dated 10 Apr and 04 Jul 2000.

2. ***The case of your son for grant of disability pension has been examined by the competent authority in light of relevant provisions. The ID has been considered neither attributable to nor aggravated with military services. Accordingly claim of ex-gratia disability pension has been rejected***."

6. Aggrieved thereof the instant writ petition has been filed.

7. Learned counsel for the petitioner draws the attention of this Court to the information sought by the petitioner from the respondent-authorities under the RTI Act, 2005 (which such document has not been disputed or denied by the respondents) pertaining to the medical record of the OTA MI Room Madras-16. The relevant extract of the said referral form is attached as (Annexure P-1) is reproduced hereinafter below:-

"Summary:- This GC fell during the training after race

back with sever pain in his rt thigh. After that he was not able to move his right lower limb.

O/E- The indl is on a stretcher, the left is kept medically rotated, movement of right lower limb is difficult.

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DIAGNOSIS? OSTEO ARTHRITIS OF THE HIP JOINT (LT) (715)

<u>This 24 yr. old G.C. has reported of severe pain in hip following a fall during Race Back today.</u>

<u>The above was being held as part of training Ex</u>."

(Emphasis supplied)

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"Disability- AVASCULAR NECROSIS HEAD OF FEMUR C Secondary OSTEOARTHRITIS changes HIP JOINT (Rt.)

Outcome of the case (i.e. died or to be invalidated)- Invaliding out of service in low med. Cat – 'EEE'.

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5. Nature of duties in the Unit (Give details) – NA

Did the duties involve severe/exceptional stress and strain? (Give details):

a. In daily routine	***Yes, involves severe military trg as applicable for pre-commissioned trg***
b. On special day/occasions	

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Do you consider the disability is attributable to service? (Give reasons)	***Yes, the individual reported about the injury while undergoing trg at OTA.***
Do you consider the disability aggravated by service? (Give reasons)	

8. He further draws attention of this Court to the Scheme notified by the Govt. of India, Ministry of Defence on 16.04.1996, which provides for grant of ex-gratia awards in case of death/disablement of Gentlemen Cadets due to causes attributable to or aggravated by the conditions of military training. The relevant extract of the said scheme is extracted hereinafter below:

"***Subject: Scheme for grant of Ex-gratia Awards in case of Death/Disablement of Cadets (direct) due to causes attributable to or aggravated by Military Training***.

Sir,

I am directed to state that the President is pleased to sanction a scheme for grant of ex-gratia awards in respect of Cadets in the event of death/disablement due to causes attributable to or aggravated by the conditions of military training. The rates and other conditions for grant of these ex-gratia benefits shall be as laid down in the succeeding paragraphs.

2. <u>Ex-Gratia Awards in cases of disablement</u>: In cases of invalidment on medical grounds due to disabilities

attributable to or aggravated by the conditions of military training, an ex-gratia award at the rate of Rs.375/- per month for lift shall be admissible to the ex-cadets (except Service entry). In addition, a Disability Award on ex-gratia basis shall also be admissible to the ex-cadet at the rat of Rs.600/- per month or 100% disability, during the period of disablement. The amount of disability award shall be proportionately reduced when the decree of disablement is less than 100%. No disability award shall be payable in cases where the degree of disablement is less than 20% or the disablement has not been accepted as attributable to or aggravated by the conditions or military training."

9. Referring to the above, learned counsel appearing on behalf of the petitioner contends that it is evident from a perusal of the aforesaid that as per the scheme of 1996, which was applicable on the date when the petitioner sustained aggravated disability, that a Gentlemen Cadet was entitled to be granted ex-gratia award in the event of being invalidate on medical grounds due to disabilities attributable to or aggravated by the conditions of military training. It is contended that it is evident from a perusal of the MI records of the petitioner during the training, that the injury in question was directly caused/aggravated as a result of the Race Back training. The respondents have themselves held that the injury in question was reported while undergoing training at the OTA and that the same has certainly been aggravated as result of severe military training applicable for

pre-commissioned Cadets. He thus contends that the reasons assigned by the respondents for declining the claim of the petitioner for grant of ex-gratia award are misconceived. The respondents have proceeded with rejection of the claim on the premise that the petitioner has sought for disability pension. He contends that there is no discussion as regards the policy of 1996 and that there is no consideration of the medical record prepared by the respondent-authorities themselves, which clearly shows that the disability has definitely been aggravated as a result of the sever military exercise that was required to be undergone by a Gentlemen Cadet as a part of the pre-training program for commissioned officers. Reliance is also placed by the learned counsel appearing on behalf of the petitioner to the judgment of the **Hon'ble Supreme Court** in the matter of **Union of India and another Vs. Rajbir Singh**, reported as (**2015) 12 Supreme Court Cases 264.** The relevant extract of the said judgment reads thus**:**

> ***"10. From a conjoint and harmonious reading of Rules 5, 9 and 14 of Entitlement Rules (supra) the following guiding principles emerge:***
>
> ***(i) a member is presumed to have been in sound physical and mental condition upon entering service except as to physical disabilities noted or recorded at the time of entrance;***
>
> ***(ii) in the event of his being discharged from service on medical grounds at any subsequent stage it must be***

presumed that any such deterioration in his health which has taken place is due to such military service;

(iii) the disease which has led to an individual's discharge or death will ordinarily be deemed to have arisen in service, if no note of it was made at the time of the individual's acceptance for military service; and

(iv) ***if medical opinion holds that the disease, because of which the individual was discharged, could not have been detected on medical examination prior to acceptance of service, reasons for the same shall be stated.***

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13. Applying the above principles this Court in Dharamvir Singh's case (supra) found that no note of any disease had been recorded at the time of his acceptance into military service. This Court also held that Union of India had failed to bring on record any document to suggest that Dharamvir was under treatment for the disease at the time of his recruitment or that the disease was hereditary in nature. This Court, on that basis, declared Dharamvir to be entitled to claim disability pension in the absence of any note in his service record at the time of his acceptance into military service. This Court observed:

"33. In spite of the aforesaid provisions, the Pension Sanctioning Authority failed to notice that the Medical Board had not given any reason in support of its opinion, particularly when there is no note of such disease or disability available in the service record of the appellant at the time of acceptance for military service. Without going through the aforesaid facts the Pension Sanctioning Authority mechanically passed the impugned order of rejection based on the report of the Medical Board. As per Rules 5 and 9 of the Entitlement Rules for Casualty Pensionary Awards, 1982, the appellant is entitled for presumption and benefit of presumption in his favour. In the absence of any evidence on record to show that the appellant was suffering from "generalised seizure (epilepsy)" at the time of acceptance of his service, it will be presumed that the appellant was in sound physical and mental condition at the time of entering the service and deterioration in his health has taken place due to service.".

10. Reliance is also made by the learned counsel appearing on behalf of the petitioner to the judgment of the **Hon'ble Supreme Court** in the matter of **Sukhvinder Singh Vs. Union of India and others** reported as **(2014) 14 SCC 364**. The relevant extract of the same reads thus:-

"5. On 16-2-2002, the appellant was presented before the Medical Board /which recommended that the appellant be

invalided out of service with disability of 6% to 10% on account of hearing impairment. It will bear repetition that the exercise as to whether the appellant could be retained in service in some other category was not even thought of or considered or undertaken, in the face of the Pension Regulations for the Army, 1961, Part I. Appendix II, Rules 4 and 9 which postulates that:

> ***"9. Onus of proof-The claimant shall not be called upon to prove the conditions of entitlements. He/she shall receive the benefit of any reasonable doubt. This benefit shall be given more liberally to the claimants in field/afloat service cases."***

6. In its letter dated 18-10-2004 the respondents have recorded that the Invaliding Medical Board (IMB) had considered the appellant's invalided h disability (ID) and had concluded it to be:

(i) as neither attributable nor aggravated by military service; and

(ii) as assessed the degree of disablement of the said disease at 6 to 10%, permanently for life.

Inexplicably, but very significantly, it has also been recorded that the above disability had existed before entering service, but had remained undetected by the recruiting medical officer.

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11. We are of the persuasion, therefore, that firstly, any disability not recorded at the time of recruitment must be presumed to have been caused subsequently and unless proved to the contrary to be a consequence of military service. The benefit of doubt is rightly extended in favour of the member of the armed forces; any other conclusion would tantamount to granting a premium to the Recruitment Medical Board for their own negligence. Secondly, the morale of the armed forces requires absolute and undiluted protection and if an injury leads to loss of service without any recompense, this morale would be severely undermined. Thirdly, there appear to be no provisions authorising the discharge or invaliding out of service where the disability is below twenty per cent and seems to us to be logically so. Fourthly, wherever a member of the armed forces is invalided out of service, it perforce has to be assumed that his disability was found to be above twenty per cent. Fifthly, as per the extant Rules/Regulations, a disability leading to invaliding out of service would attract the grant of fifty per cent disability pension."

11. Reliance is also made by the learned counsel appearing on behalf of the petitioner to the judgment of the **Delhi High Court** in the matter of **Puneet Gupta Vs. Union of India and others** reported as **2016**

SCC Online Del 3846. The relevant extract of the same reads thus:-

> ***"24. Regulation 173 of the Indian Army is pari-materia with Regulation 173 of the Air Force. Regulation 173 mandates disability pension consisting of service aliment and disability aliment to be granted to an army man who is invalided out of service and invalidation is assessed at 20% or above.***
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> ***25. In the decision dated June 25, 2014 in CA No.5605/2010 Sukhvinder Singh vs. UOI & Ors ., noting Regulation 173 and 173A, the Supreme Court opined in para 6 as under:-***
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> > ***"6. We think that it is beyond cavil that a combatant soldier is liable to be invalided out of service only if his disability is 20 per cent or above and there is a further finding that he cannot discharge duties even after being placed in a lower medical category. We are indeed satisfied to note that Rule 173 Appendix-II (10) postulates and permits preferment of claims even "where a disease did not actually lead to the member's discharge from service but arose within ten years thereafter." We, just as every other citizen of India, would be extremely disturbed if the Authorities are perceived as being impervious or unsympathetic towards members of the Armed Forces who have suffered disabilities, without receiving any form of***

recompense or source of sustenance, since these are inextricably germane to their source of livelihood. Learned counsel for the respondents has failed to disclose any provision empowering the invaliding out of service of any person whose disability is below 20 per cent. Indeed, this would tantamount to dismissal of a member of the Armed Forces without recourse to a court-martial which would automatically entitle him to reinstatement. Regulation 143 envisages the 'Re-Enrolment of Ex-Servicemen Medically Boarded Out', where the disability is reassessed to be below 20 per cent. It is, therefore, self contradictory to content that the invaliding out of service of the Appellant was justified despite his disability being of trivial proportions having been adjudged between 6 to 10 per cent only. We shall presume, albeit fortuitously for the Respondents, that re-assessment of the Appellant's disability was not required to be performed because it was found to be permanent."

26. The logic in the reasoning of the Supreme Court is that every kind of disability and every percentage of disability does not handicap a person in discharging his duties. Unless a disability acquires a proportion where a person is handicapped from discharging duties, it cannot be said that a

person has become disabled to discharge his duties.

27. Thus, 20% disability being suffered is treated as the norm for being declared a person disabled to perform the duties. This reinforced the fact that the review medical board while recommending discharge of the petitioner opined that the disability suffered by the petitioner was 20%. The board wrote this percentage of disability in numerals and in words, lest there be any scope of doubt.

28. As noted above, interpolations have been made subsequently and this explains the different percentage figures stated by the respondents from time to time being 15% to 19% in the letter dated November 20, 2007, 11% to 14% in the letter dated April 17, 2014 and 11% to 14% recorded outside the box of the proforma prescribed in the opinion of the review medical board immediately beneath the writing within the box by the review medical board that the disability opined was 20%; the writing being both in numerals and in words."

12. Responding to the above, learned counsel appearing on behalf of the respondent-UOI laid emphasis on the specific averments contained in paragraph No. 9 of the preliminary submissions as well as paragraph No.14 of its reply on merits, the same are extracted as under:-

"9. That, cadets undergoing training in Indian Military Academy, Officers Training Academy or other similar

Training Academy are governed by similar rules of Govt of India on the aspect of pay, allowances, stipend, training etc. Hence, rules of stipend and entitlements applicable upon cadets undergoing training in IMA will be analgous to cadets undergoing training in OTA, Chennai Cadets during per commissioning training and are granted only monthly stipend; Training period is not treated as commissioned service. In this regard following policies are highlighted:-

(i) Special Army Instruction 4/S/1974

(a) Paragraph 4 of Army Instruction states that the candidate selected will be enrolled under Army Act as Gentlemen Cade (Not as an Officer).

(b) Paragraph 8 of Army Instruction states that the grant of commission as an officer will be from the date of successful completion of training at the Academy.

(c) Paragraph 9 of Army Instruction states that pay and allowances, pension and other condition of service will be applicable after grant of commission. A copy of Special Army Instruction 4/S/1974 is enclosed as Annexure R-2.

(ANY DATE)

(ii) As per Government of India, Ministry of Defence letter No. 3(6)/97/D(Pay/Services) dated

03.04.1998 and Army Officers Pay Rules Notified vide Ministry of Defence Notification dated 03.05.2017 Gentleman Cadets at Indian Military Academy shall receive a fixed stipend for the period of training and that only on successful commissioning, the pay in the pay matrix of Commissioned service and arrears on account of admissible allowances, as applicable, for the training period will be paid to cadets. Since the petitioner could not successfully complete the pre-commissioning training and was not granted commission as an officer, disability pension as applicable to commissioned officer is not admissible to him. (Copy of Ministry of Defence letter dated 03.04.1998 and Ministry of Defence Notification dated 03.5.2017 are enclosed as Annexure R-3 and Annexure R-4 respectively.)

(iii). Additionally, as per Government of India letter dated 16.04.1996 and 17(01)/2017(01) (Pension/Policy) dated 04.09.2017, Ex gratia awards to cadets during training in case of invalidment on medical ground due to cause attributable to or aggravated by military training shall be sanctioned purely on ex gratia basis and the same will not be treated as pension for any purpose. However, Dearness

Relief will be admissible on the Ex Gratia Awards sanctioned as per existing policy. Copy of Ministry of Defence letter dated 16.04.1996 and letter dated 04.09.2017 are enclosed as Annexure R-5 and Annexure R-6 respectively.

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14 That contents of this para are wrong, hence denied as petitioner was invalided out of OTA, Chennai on 17.11.1999 for "Avascular Necrosis Head of Femur C Secondary Osteroarthritis changes HIP JOINT (Rt)". As per AFMSF-81 (Revised), disability of individual was found out to be attributable to service, however, case of disability benefits was rejected by DGMT/ MT-6(B) vide letter dated 24.07.2000. Reasonable justification was on this aspect was sought from concerned medical authorities at Army HQ level. Concerned expert medical body, after scrutinizing the medical board proceedings, opined that as per statement of Commanding Officer in AFMSF-81 dated 16.08.1999, the petitioner had reported 1 about the injury while training. However, as per special opinion individual had sustained trauma 5-6 years ago which was managed conservatively. Thereafter, he was asymptomatic till 05.06.1999 when during training at OTA, Chennai he incidentally developed pain in his Right hip joint without any evidence of trauma. CT scan date 09.07.1999

revealed avascular necrosis head of Right femur with secondary Osteoarthritis changes Right hip joint. The medical board conducted during IMB had awarded NANA for above disability in light of aforesaid facts. Relevant letter issued by IHQ of MoD DGMS (Army) vide letter No. 76102/IMB/DGMS-5A dated 22.11.2022 is attached as Annexure R-11."

13. Referring to the above, learned counsel for the respondent-UOI vehemently argues that the petitioner was already suffering from that problem prior to his joining the forces and that the said trauma got sustained 5-6 years ago and was being managed conservatively, he was asymptomatic till 05.06.1999 and it was only during the training at OTA Chennai, that he incidentally developed pain in his right hip joint and that there was no evidence of any trauma. The Medical Board conducted during IMB had awarded neither attributable nor aggravated (NANA) for the above disability, in light of aforesaid facts. It is thus submitted that as the disability was already existing prior to his joining the force and resurfaced during the training, hence, the acts/omission undertaken during the military exercise cannot be said to be the cause for the disability and consequently, no ex-gratia award is liable to be paid. He further contends that the respondents had declined the claim of one **Mrs. Jaya Shubhey Madan** under similar circumstances vide order dated 25.10.2022 and that disability pension had not been released to her.

14. Responding to the above, learned counsel for the petitioner

contends that insofar as the reference to an order passed in the case of **Mrs. Jaya Shubhey Madan** on 25.10.2022 is concerned, the same was in relation to grant of disability pension which is not the case in hand as the petitioner is confining his prayer only to grant the ex-gratia award under the applicable policy. Since the said order is not in the context of policy under which the claim is currently being raised by the petitioner, hence, the said letter cannot advance the case of the respondents any further. He further contends that the same would have no bearing so far the claim of the present petitioner is concerned as it was a matter between the claim therein viz. a viz. the respondents and any such administrative action would have no binding/enforceable impact so far adjudication of present case by this Court is concerned. He, however, contends that even in the said case, an ex-gratia award had been granted by the respondents.

15. I have heard the learned counsel for the respective parties and have gone through the documents appended with the present writ petition with their able assistance.

16. Even though the entirety of the arguments advanced by the respondents has been on the ground that the injury/disability that was sustained by the petitioner was neither attributable nor aggravated by military service and hence, the petitioner would not be entitled to the grant of benefit of ex-gratia scheme dated 16.04.1996, however, the aforesaid argument of the learned counsel for the respondent-UOI does not support his cause, in so far as the OTA MI Room records maintained by the respondents in the general course of business is concerned. It is evident from a perusal

of the necessary extracts thereof, which have already been reproduced above, that the petitioner had felt severe pain in his right thigh during the course of the military exercise. The said aspect is clearly recorded in the diagnosis undertaken by the military hospital Chennai. The said running was also being undertaken as a part of the military exercise and was not an independent run for fun activity undertaken by the petitioner. Still further, the perusal of the circumstances of the case, as noticed in the report on cases prepared by the respondents, clearly show that the strain/injury is reported to have been occurred as a result of severe military training, as undertaken by a pre-commissioned cadet and that even in response to the specific query posed by this court as to whether the disability is attributable to service or whether the same has been aggravated by service, the respondents have reported that the said injury is attributable to service and has been aggravated as a result thereof on account of undergoing training at OTA. The medical board opinion as has been emphatically read upon by the counsel for the respondents, however, does not reflect upon consideration of the aforesaid MI record that has been provided in the due course.

17. Further this Court would find support in its finding that the disability i.e. "***Osteoarthritis of Right Hip Joint and Avascular Necrosis of Head of Femur***", even if it was old and was being managed conservatively, has certainly been aggravated as a result of the rigorous military exercise/training being undertaken by the Gentlemen Cadet. Further, it is apposite to refer to the judgments of Hon'ble Supreme Court in the matter of **Union of India and another Vs. Rajbir Singh (Supra).** It is significant to

note that the scope of the disabilities/diseases which form the basis of grant of medical disability, was to also include issues such as personality disorder, epilepsy, seizures etc. Even though the aforementioned case was in relation to a dispute about disability pension, however, the Hon'ble Supreme Court has specifically held that a member is presumed to be in sound physical and medical condition while entering military service, except as to the physical disabilities noted or recorded at the time of entrance. In the event of being discharged from service on medical grounds at any subsequent stage, it must be presumed that any such deterioration in the health which has taken place is due to such military service. The burden lies upon the Medical Board to prove that the diseases because of which an individual has been discharged, could not have been detected on medical examination prior to acceptance of service and the reasons for the same have to be stated. Invariably, there is nothing on record on the basis whereof it can be held that the alleged injury, which was claimed to have been sustained by the petitioner 5-6 years prior to entering into service and was being managed conservatively, could not be detected at the time of medical examination of the petitioner before entering into service. The said burden having been cast upon the respondents, the same was to be discharged and there can be no presumption that any injury sustained by the petitioner at any point prior in time before entering into military service was a probable disability and that any aggravation thereof is not attributable. Significantly, if any disability is so inconsequential that it could not be noticed and the same re-surfaces as a result of the rigorous military exercise/training, the resurfacing thereof cannot be dissected, for

reasons without any basis, from the military training. The resurfacing is clearly attributable to the service conditions that have aggravated the resurfacing of such disease. Hence, even on the said count the disability cannot be held to be not attributable or nor aggravated as a result of military training.

18. This Court derives strength from the judgment of Hon'ble Supreme Court of India in the matter of **Sukhvir Singh (supra).** In the said case, the Hon'ble Supreme Court took into consideration that the Medical Board had specifically recorded in its opinion that the disability was sustained by the petitioner before entering into service but remained undetected by the recruiting Medical Officer. The opinion of the Medical Board was set aside by the Hon'ble Supreme Court and the disability pension was extended to the petitioner therein. Besides, the Delhi High Court's judgment in the matter of **Puneet Gupta (supra**) has extended the benefit of ex-gratia awards to a Gentlemen Cadet for the injury that have been sustained by him during the Court of training by placing reliance upon the circular dated 16.04.1996.

19. I find that the case of the petitioner is squarely covered by the aforesaid judgments that are being relied upon and extracted above. There are no cogent reasons or circumstances that have been established by the respondents to the satisfaction of the judicial conscious of this Court, that the disability suffered by the petitioner was not attributable nor was aggravated on account of military service. **The impugned order passed by the respondents is accordingly held to be bad and is thus set aside**. The

respondents are directed to release the ex-gratia award payable to the petitioner in terms of the circular dated 16.04.1996, as revised from time to time. The arrears be released to the petitioner from the date it fell due alongwith the interest @6% per annum.

20. Let the arrears be released to the petitioner within a period of 03 months of receipt of a certified copy of this order. In the event of non-release of the said benefits within the period as aforesaid, the officer responsible for causing the delay shall be further burdened with an additional liability of Rs.1,00,000/- for every two months of delay. Such additional cost shall be recovered from such an officer in a manner known to law.

21. **The instant writ petition is allowed in above terms.**

(VINOD S. BHARDWAJ)
JUDGE

06.02.2025
Mangal Singh

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