



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

**CWP No.9728 of 2025
Date of Decision: 05.04.2025**

Union of India and others

.....Petitioners.

Versus

NO 9630823 Ex Ac UT Dharmender Pal Dhankhar and another

.....Respondents.

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

Present:- Mr. S.K. Sharma, Senior Panel Counsel, UOI
for the petitioners.

SANJEEV PRAKASH SHARMA, J.(Oral)

The challenge is to the order dated 15.10.2024 passed by the Armed Forces Tribunal, Regional Bench, Chandigarh (for short 'the AFT'), whereby invalid pension has been granted to respondent No.1 for the period from 16.07.1996 to 14.05.1997, which was made applicable from 04.01.2019, i.e the date when the invalid pension was introduced.

2. Learned counsel for the petitioners submits that since the invalid pension was introduced for the Armed Forces w.e.f. 04.01.2019, it would not have an application relating to release of the respondent from Air Force on 14.05.1997 as the said invalidity which resulted in invalidating the Medical Board was much prior in point of time to the introduction of Policy dated 04.01.2019.



3. We find that in *Civil Appeal No.3086 of 2012* titled as '*Balbir Singh Vs. Union of India and others*', decided on 08.04.2016, it was held by the Hon'ble Supreme Court that the invalid pension is required to be granted from the date of invalidment. Thus, even prior to 2019, the invalid pension was being released. That apart, the Co-ordinate Bench of this Court, vide order dated 28.08.2024 passed in *CWP No.21064 of 2024*, has rejected the writ petition of the Union of India which was filed against one other Ex AC UT Ravinder Kaushik and allowed the invalid pension. We, accordingly, follow the same and therefore, dismiss the present petition and uphold the order dated 15.10.2024 passed by the AFT.

(SANJEEV PRAKASH SHARMA)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

April 05, 2025
Yag Dutt

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No