



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

115

CWP-22781-2025

Date of Decision: 07.08.2025

Union of India and others

...Petitioners

Versus

702556-G Ex.Sgt Ramesh Chander Pannu and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI  
HON'BLE MR. JUSTICE VIKAS SURI**

Present:- Mr. Bharat Bhushan Sharma, Senior Panel Counsel,  
for the petitioners.

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**HARSIMRAN SINGH SETHI, J. (ORAL)**

1. In the present petition, the challenge is to the order passed by the Armed Forces Tribunal, Regional Bench Chandigarh (hereinafter referred to as 'Tribunal'), dated 19.07.2024 (Annexure P-3), by which, respondent No.1-employee was held entitled to disability element of disability pension @ 20% by granting the benefit of rounding off @ 50% for life from the date next to the date of his discharge, i.e. 01.07.2006 on the ground that the same is perverse.

2. Learned counsel for the petitioners argues that the benefit of disability element of disability pension which has been given @ 20% by granting the further benefit by rounding off the same to 50% for life, from the date of discharge i.e. 01.07.2006 is incorrect, as respondent No.1-employee suffered the said injury due to his own negligence and it was rightly held that disability suffered is not attributable to the military service.

3. We have heard the learned counsel for the petitioners and gone through the record with his able assistance.



4. The only argument which has been raised by the learned counsel for the petitioners is that respondent No.1-employee had suffered an accident on 01.08.2000 and the said accident occurred due to the negligence of the employee concerned and hence, the injuries suffered were rightly treated not attributable to the military service so as to deny the benefit of disability pension.

5. In this regard, it may be noticed that when put to learned counsel for the petitioners that in the Court of Inquiry, qua the same accident, a finding was recorded by the authorities concerned that respondent No.1-employee was not negligent, said fact has been conceded by the learned counsel for the petitioners. Once the said fact has been conceded that respondent No.1-employee was not negligent and he has suffered the accident while in service, the judgment of the Hon'ble Supreme Court of India in *Dharamvir Singh vs. Union of India*, (2013) 7 SCC 316, as referred in para 7 of the order passed by the Tribunal, was rightly made applicable in the facts and circumstances of the present case.

6. No other argument has been raised.

7. Keeping in view the above, there is no ground for any interference by this Court.

8. The present writ petition is dismissed.

( HARSIMRAN SINGH SETHI )  
JUDGE

( VIKAS SURI )  
JUDGE

August 07, 2025

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|---------------------------|-----|
| Whether speaking/reasoned | Yes |
| Whether reportable        | No  |

