



2025:DHC:10304-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 6962/2024**

PRADEEP

.....Petitioner

Through: Ms. Saahila Lamba and Ms.
Nidhi Sharma, Advocates.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Ms. Radhika Bishwajit Dubey,
CGSC with Ms. Gurleen Kaur Waraich,
Advocate.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT (ORAL)

% **19.11.2025**

C. HARI SHANKAR, J.

1. The petitioner was enrolled as a Constable in the Central Industrial Security Force¹ on 19 June 2000. Some time in 2015, the petitioner started suffering from psychological issues, including Schizophrenia.

2. The case of the petitioner, as articulated by Ms. Saahila Lamba before us, is that the psychological disturbances from which the petitioner was suffering were aggravated by the conditions of his service in the CISF.

3. The petitioner was invalided out of service owing to his psychological condition on 17 June 2023.

¹ "CISF" hereinafter



4. The petitioner was granted invalid pension. The petitioner's claim is that he is entitled to disability pension.

5. Ms. Lamba has placed reliance on medical board proceedings which has assessed the petitioner's condition dated 24 March 2021 and 25 November 2021. In both these cases, the medical board has found that, though the depressive and other psychotic symptoms from which the petitioner was suffering may have been attributable to the domestic issues, they may have been aggravated by military service. In column 21 of each of these opinions, it is opined, which is stated thus:

“(21) If not directly attributable to service, was it aggravated thereby, if so by what specific condition?

May have been aggravated by stress and strain of service conditions.

“(21) If not directly attributable to service, was it aggravated thereby, if so by what specific condition?

May have been aggravated by stress and strain of service conditions

6. This comment is identical in both the medical board reports. As such, there are two medical boards which have certified that, even if the psychological symptoms from which the petitioner was suffering may have been attributable to issues at home, they may have been aggravated by his service conditions.

7. There is no dispute about the fact that disability pension is available not only if the medical condition is attributable to military service but also if it is aggravated by military service.



8. On the aspect of aggravation, therefore, there are two medical boards which have opined in favour of the petitioner.

9. The respondents place reliance on a report from the NIMHANS which states that the onset of the petitioner's symptoms when he was having inter-personal issues at home with his wife.

10. That cannot be a basis to disentitle the petitioner to disability pension, as onset is relatable to attributability and not to aggravation. Even if the psychological disturbances arose because of the petitioner's domestic issues at home, two medical boards have opined that they may have been aggravated by service. This satisfies the entire requirement for entitlement of the petitioner to disability pension.

11. Ms. Lamba has also placed reliance on a judgment of this Court in ***Kalu Ram v Union of India***².

12. Ms. Dubey submits that the petitioner was always deployed in peace stations, etc. These aspects are covered by the judgments of the Supreme Court in ***Dharamvir Singh v UOI***³, ***Bijender Singh v UOI***⁴ as well as our judgment in ***UOI v Ex Sub Gawas Anil Madso***⁵ and the judgment of the Coordinate Division Bench of this Court in ***Union of India v Balbir Singh***⁶, which clarify that deployment in peace stations is no guarantee against contracting of any disability, as the very stress

² Judgment dated 6 November 2025 in **WP (C) 4350/2025**

³ (2013) 7 SCC 316

⁴ 2025 SCC OnLine SC 895

⁵ 318 (2025) DLT 711

⁶ 2025 SCC OnLine Del 7873



and strain of military service can be a contributing factor. It is incumbent on the Medical Board which assesses the condition of the candidate to attribute the condition to some other specific factor, if it is not attributable to, or aggravated, by, military service.

13. In any case, this argument cannot sustain in the present case in view of the concurrent opinion of two Medical Boards that the petitioner's psychological condition may have been aggravated by his service.

14. In view of the aforesaid, we hold that the petitioner is entitled to disability pension.

15. We direct the respondents to disburse the differential amount, between the invalid pension which was paid to the petitioner and the disability pension to which we have found him to be entitled, from the date of his invalidation from service, to the petitioner within 12 weeks from today. Hereafter, the petitioner would be continued to be paid disability pension in accordance with this judgment.

16. Accordingly, the writ petition is allowed.

C. HARI SHANKAR, J

OM PRAKASH SHUKLA, J

NOVEMBER 19, 2025/pa