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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 16383/2025, CM APPL. 67145/2025, CM APPL.
67146/2025 & CM APPL. 67147/2025

UNION OF INDIA & ORS.Petitioners
Through: Mr. Jagdish Chandra, CGSC
with Mr. Sujeet Kumar, Adv.

versus

EX PO COM (EW) MUNNALALRespondent
Through:

CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR
HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

ORDER (ORAL)

% **29.10.2025**

C. HARI SHANKAR, J.

1. This writ petition is directed against the order dated 16 May 2023, passed by the Armed Forces Tribunal¹, whereby the respondent's application for grant of disability pension was allowed.

2. The disability from which the respondent suffered, on the basis of which the disability pension was sought, was a fracture of the shaft of the right tibia. The injury was suffered six years after the respondent had joined service and the respondent was discharged from service nine years thereafter on the basis of the said injury.

3. The reason for the Release Medical Board² opining that the injury was not attributable to military service, as contained in the

¹ "AFT", hereinafter

² "RMB", hereinafter



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report of the RMB reads “As per injury report (IAFY-2006) approved dated 21 Oct 2010”.

4. The injury report is also on record. Admittedly, the injury was sustained by the respondent while he was on duty, as his motor-bike collided with a four-wheeler.

5. There is nothing, therefore, in the injury report on the basis of which it could be said that the injury was not attributable to military service. It is not stated in the injury report that the respondent was on any private visit at the time when he sustained injury.

6. In that view of the matter, within the limited peripheries of Article 226 of the Constitution of India, we do not find any case to interfere with the order of the AFT which is, therefore, affirmed.

7. The writ petition is dismissed *in limine*.

8. Let compliance with the order of the AFT be ensured within a period of 12 weeks from today.

C. HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

OCTOBER 29, 2025/gunn