



2025:DHC:11502-DB



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ W.P.(C) 19044/2025, CM APPL. 79299/2025, CM APPL.  
79300/2025 & CM APPL. 79301/2025

UNION OF INDIA & ORS. ....Petitioners  
Through: Mr. Vijay Joshi, CGSC, Sgt  
Manish Kumar Singh and Sgt Mritunjay, Air  
Force

versus

693171-EX WO OM PRAKASH YADAV .....Respondent  
Through: Mr. A.K. Chaudhary, Mr.  
Baljeet Singh and Ms. Deepika Sheoran,  
Adv.

**CORAM:**  
**HON'BLE MR. JUSTICE C. HARI SHANKAR**  
**HON'BLE MR. JUSTICE OM PRAKASH SHUKLA**  
**JUDGMENT (ORAL)**

% **16.12.2025**

**C. HARI SHANKAR, J.**

1. This writ petition assails an order dated 25 October 2024 passed by the Armed Forces Tribunal<sup>1</sup> whereby the respondent's prayer for disability pension has been allowed.

2. Disability pension was sought on the ground that the respondent suffered from Primary Hypertension which was found to be 30% for life rounded off to 50%. The onset of the Primary Hypertension was 37 years after the respondent joined the service. No Primary Hypertension was noted at the time when the respondent was

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<sup>1</sup> "AFT", hereinafter



recruited.

3. The reasoning given by the Release Medical Board for holding that the respondent's Primary Hypertension was not attributable to or aggravated by service read thus:

“Onset of the disability was in Nov 2016 while the air warrior was serving in HQ WAC, IAF/New Delhi

The disability was detected when he was investigated & evaluated for AME.

There is no delay in diagnosis, no close association with stress and strain of military service.

Hence, the disability is not attributable to, not aggravated by service as per Para 43 of Chapter VI of GMO (Military Pension)-2008 (amended).”

4. In almost 208 similar cases, in which the reasoning of the RMB is substantially the same, including *Union of India v. Ex. SGT Manoj K L Retd<sup>2</sup>* and *Union of India v. Rajveender Singh Mallhi<sup>3</sup>* as well as *Union of India v. Ex Sub Gawas Anil Madso<sup>4</sup>*, we have upheld the order of the AFT and dismissed the writ petition.

5. Those decisions apply, *mutatis mutandis*, to the present case.

6. We have not been informed that any of these decisions has been stayed or interfered with by the Supreme Court.

7. This dispute is entirely covered by the aforesaid decisions.

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<sup>2</sup> 2025 SCC OnLine Del 8442

<sup>3</sup> 2025 SCC OnLine Del 3956

<sup>4</sup> 318 (2025) DLT 711



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8. The writ petition is accordingly dismissed.
9. Compliance with the order of the AFT be positively ensured within six weeks from today.

**C. HARI SHANKAR, J.**

**OM PRAKASH SHUKLA, J.**

**DECEMBER 16, 2025/AR**