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

+ **CONT.CAS(C) 1625/2025**

EX SUB HIRA LAL KUSHWAHA

.....Petitioner

Through: Mr. Durgesh Kumar Sharma and Mr.
Harish Kr., Advocates.

versus

DR NITEN CHANDRA IAS & ORS.

.....Respondents

Through: Mr. Shrey Sharawat, SPC with Mr.
Yash Chaturvedi and Mr. Viren Pratap
Singh, Advocates with Major Anish
Murlidhar, Army.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **03.11.2025**

1. This hearing has been done through hybrid mode.

CM APPL. 68173/2025 (Exemption)

2. Allowed, subject to all just exceptions. The application is disposed of.

CONT.CAS(C) 1625/2025

3. The present petition under Sections 11 and 12 of the Contempt of Courts Act, 1971 seeks the following prayers:

“A. To summon and punish the contemnors for having committed the contempt of this Hon'ble Court by willfully defying and disobeying order/ judgment dt. 01 July 2025 passed in W.P.(C) No. 8210/2024 titled as "UOI & Ors Vs Ex Sub Hira Lal Kushwaha" in the interest of justice.

B. To direct the contemnors to obey the order/judgment dt. 01 July 2025 passed in W.P.(C) No. 8210/2024 titled as "UOI & Ors Vs Ex Sub Hira Lal Kushwaha" in the interest of justice.

C. To award any other/further relief as this Hon'ble court may deem fit and proper in the fact and circumstances of the case in favor of the petitioner and against the contemnors along with cost,



in the interest of justice.”

4. *Vide* order dated 12.07.2023, in OA 1042/2020, the learned AFT, Principal Bench, New Delhi passed the following directions:

“19. Therefore, in view of our analysis, the OA 1042/2020 is allowed and Respondents are directed to *grant benefit of disability element of pension @ 20% for life* (for Diabetes Mellitus Type II) & *@30% for life* (for Primary Hypertension), compositely assessed *@ 40% for life be rounded off to 50% for life* in view of judgment of Hon'ble Apex Court in *Union of India versus Ram Avtar (supra)* from the date of discharge i.e 31.03.2013. The arrears shall be disbursed to the applicant within three months of receipt of this order failing which it shall earn interest @ 6% p.a. till the actual date of payment.”

5. Subsequently, the aforesaid judgment passed by the learned AFT was challenged before the learned Division Bench of this Court in W.P.(C). 8210/2024 and connected petitions. *Vide* judgment dated 01.07.2025, the learned Division Bench of this Court, affirming the aforesaid judgment had observed as under:

“85. In view of the aforesaid, and considering the limited scope of the writ jurisdiction in reviewing the orders of the learned Tribunal, no case has been made out warranting interference by this Court with the decision of the learned Tribunal.”

6. Issue notice.

7. Learned counsel appearing on behalf of the respondents accepts notice. Let a compliance report be filed before the next date of hearing.

8. List on 11.03.2026.

AMIT SHARMA, J

NOVEMBER 3, 2025/bsr/sg