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

+ **CONT.CAS(C) 1631/2025**

EX HAV GOHAR ABBAS BAQUARI

.....Petitioner

Through: Mr. Dilwar M. Barlaskar, Mr. Naseer
H. Jafri, Mr. Umair A. Andrabi and
Mr. Nilotpal Datta, Advocates.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Abhishek Yadav, SPC for UOI
with Mr. Vivek Nagar, GP and Major
Anish Muralidhar, Army.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **03.11.2025**

1. This hearing has been done through hybrid mode.

CM APPL. 68336/2025 (Exemption)

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

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3. The present petition under Article 215 of the Constitution of India read with Sections 11 and 12 of the Contempt of Courts Act, 1971 read with Section 151 of the CPC seeks the following prayers:

“a. Pass necessary orders and initiate contempt proceedings and impose cost against the Respondents by taking into consideration the wilful disobedience committed by them on every directions passed by the Ld. AFT bench as mentioned in AFT Order dated 29.08.2025 and directions of this Hon’ble Court as well in W.P.(C) 4395/2025, UNION OF INDIA & ORS. VS. EX HAV GOHAR ABBAS BAQUARI order dated 09.04.2025.

b. Pass necessary orders and compensate the Petitioner with Rs. 2,00,000 for causing emotional distress and harassment by their



delaying tactics and forcing the petitioner to file endless litigation for execution of the AFT order as well as the order of this Hon'ble Court.

- c. Pass necessary orders and compensate the Petitioner for expenses he has beared for the litigation i.e. Rs. 3,00,000, and/or;
- d. Pass any other orders in the interests of justice.”

4. *Vide* order dated 06.02.2024, in OA 71/2019, the learned AFT, Principal Bench, New Delhi, passed the following directions:-

“7. In view of the aforesaid judicial pronouncements and the parameters referred to above, the applicant is entitled for disability element of pension in respect of disability 'Primary Hypertension'. Accordingly, we allow this application holding that the applicant is entitled to disability element of pension@ 30% rounded off to 50% for life with effect from the date of his discharge i.e. 30.11.2006, In terms of the judicial pronouncement of the Hon'ble Supreme Court in the case of ***Union of India Vs. Ram Avtar*** (Civil Appeal No. 418/2012), decided on 10.12.2014.

8. The respondents are thus directed to calculate, sanction and issue the necessary PPO to the applicant within a period of three months from the date of receipt of copy of this order. The amount of arrears however are directed to commence to run from a period of three years prior to the institution of the present OA, in terms of the verdict of the Hon'ble Supreme Court in ***Union of India & Ors Vs Tarsem Singh*** reported in 2008 8 SCC 648 which shall be paid by the respondents, failing which the applicant will be entitled for interest @6% p.a. from the date of receipt of copy of the order by the respondents.”

5. Subsequently, the aforesaid judgment passed by the learned AFT was challenged before the learned Division Bench of this Court in W.P.(C) 4395/2025. *Vide* judgment dated 09.04.2025, affirming the aforesaid judgment passed by the learned AFT, the learned Division Bench had observed as under:

“13. In view of the aforesaid, we find that the case is fully covered by the judgment passed by us in *Gawas Anil Madso*.

14. No case is made for interference with the judgment of the



AFT which is affirmed in its entirety.

15. The writ petition is, accordingly, dismissed.

16. Compliance with the order of the AFT, if not already made, be ensured within a period of four weeks from today.”

6. Issue notice.

7. Learned counsel for 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