



\$~79

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

+ **CONT.CAS(C) 1682/2025**

COL PRSANTA KUMAR SHARMA RETDPetitioner

Through: Mr. Manoj Kr. Gupta, Ms. Esha
Mehrotra & Ms. Devangana Sharma,
Advs.

versus

SHRI RAJESH KUMAR SINGH & ORS.Respondents

Through: Mr. Ripu Daman Bhardwaj, CGSC
with Mr. Nipun Jain, GP.
Major Anish Muralidhar from Army
in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

11.11.2025

%

1. This hearing has been done through hybrid mode.
2. The present petition under Sections 10, 11 and 12 of the Contempt of Courts Act, 1971 seeks the following prayers:

“a) Initiate Contempt proceeding against the alleged contemnors & concerned Officer's/Staff of Indian Army/MoD for wilfully and deliberately disobeying the judgment dated 01.07.2025 of this Hon'ble Court passed in the Writ Petition (Civil)7280 of 2024.

b) Pass any other or further order/s as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.”

3. Learned counsel for the petitioner submits that *vide* order dated 07.02.2023 in OA 914/2022, the learned AFT, Principal Bench, New Delhi, passed the following directions:-

“3. Keeping in view the consistent stand taken by this Tribunal based on the law laid down by the Hon 1ble Supreme Court in the case of **Dharamvir Singh Vs. Union of India and others** [(2013) 7 SCC 316] that 'Primary Hypertension' may arise even



in a peace area due to stress and strain of military service, we see no reason not to allow the prayer of the applicant with regard to the disability 'Primary Hypertension', which has been assessed by the competent Medical Board@ 30% for life.

4. 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. All other claims, if any, stand rejected.

5. The respondents are thus directed to calculate, sanction and issue the necessary Corrigendum PPO to the applicant within a period of three months from the date of receipt of copy of this order and the amount of arrears shall be paid by the respondents, failing which, the applicant will be entitled for interest@ 60% p.a. from the date of receipt of copy of the order by the respondents.”

4. Subsequently, the aforesaid judgment passed by the learned AFT was challenged before the learned Division Bench of this Court in W.P.(C) 7280/2024. *Vide* judgment dated 01.07.2025, affirming the aforesaid judgment passed by the learned AFT, the learned Division Bench had observed as under:

14. In view of the above, the learned Tribunal has rightly set aside the findings of the RMB and granted the disability element of pension to the respondent. Accordingly, we find no infirmity with the order passed by the learned Tribunal.”

5. Issue notice.

6. Learned counsel for the respondents accepts notice. Let a compliance report be filed before the next date of hearing.

7. List on 11.03.2026.

AMIT SHARMA, J

NOVEMBER 11, 2025/nk/sg