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

+ **W.P.(C) 14/2026**

UNION OF INDIA & ORS.

.....Petitioners
Through: Mr. Raj Kumar, CGSC with Major
Anish Muralidhar and Major Kanika
Sharma.

versus

LT COL SK NAGRATH RETD

.....Respondent
Through: None.

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO
HON'BLE MS. JUSTICE MANMEET PRITAM SINGH
ARORA

% **ORDER**
05.01.2026

CM APPL. 31/2026 (Exemption)

1. Exemption is allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 14/2026 CM APPL. 30/2026

3. Issue notice.
4. Upon petitioners taking steps, let service be effected upon the respondent through all permissible modes, returnable on next date of hearing.
5. The submission of learned counsel for the petitioners is primarily that it is the respondent himself, who sought pre-mature retirement and also the



fact that the disability determined in his case was less than 20% the Tribunal could not have been granted the disability element of pension.

6. He also states even the reliance placed by the Tribunal on the judgment of the Supreme Court in the case of ***Dharamvir Singh v. Union of India & Ors., 2013 (7) SCC 361*** is misplaced as the same is not applicable to the facts of this case as in that case, Dharamvir Singh was boarded out for certain disability, which is not the case in the present writ petition.

7. Noting the submission made by the learned counsel for the petitioners, till the next date of hearing, there shall be a stay of the operation of the impugned order dated 06.11.2023 passed by the learned Armed Forces Tribunal, Principal Bench New Delhi in Original Application No.622/2016 titled “Lt. Col. S. K. Nagrath (Retd.) v. Union of India and Others”.

8. Re-notify on 27.03.2026.

V. KAMESWAR RAO, J

MANMEET PRITAM SINGH ARORA, J

JANUARY 5, 2026/sr