



Sr. No

2026:JKLHC-JMU:258-DB

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

WP (C) No. 820/2024

Date of pronouncement: 09.02.2026

Date of uploading:

**Ex. SEP Pardeep Singh, Age 45 years S/o
Shri P.D Singh, R/o Village Sangoor, Post
Udhampur, Tehsil & District Udhampur**

.....Applicant(s)/Petitioner(s)

Through :- Mr. Rudra Pratap Singh, Advocate

v/s

- 1. Union of India, through its Secretary
Ministry of Defence South Block, New
Delhi-110011**
- 2. The Chief of the Army Staff Army
Headquarters South Block, New Delhi-
110011**
- 3. Additional Dte. Gen. Personnel Services,
Adjutant General's Branch, Army
Headquarters, DHQ, P.O. New Delhi-
110011**
- 4. Principal CDA (Pension) Draupadi Ghat,
Allahabad (UP)-211014**
- 5. Officer-in-Charge Record, Army
Medical corps Records Office, Pin-
900450 C/o 56 APO**

.....Respondent(s)

Through :- Mr. Vishal Sharma, DSGI with
Mr. Sumant Sudan, Advocate

**CORAM: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE
HON'BLE MR. JUSTICE SANJAY PARIHAR, JUDGE**

ORDER(ORAL)

1. Impugned in this petition, filed by the petitioner under Article 226 of the Constitution of India is an order and judgment dated 17.07.2023, passed by the Armed Forces Tribunal, Regional Bench Srinagar at



Jammu [“**the Tribunal**”], whereby the Tribunal has dismissed the OA filed by the petitioner.

2. Having heard learned counsel for the parties and perused the material on record, we are of the opinion that the judgment passed by the Tribunal is perfectly legal and does not call for any interference by us in the exercise of extraordinary jurisdiction vested under Article 226 of the Constitution of India.
3. Indisputably, the petitioner was enrolled in Army Medical Corps in the year 1996 and was invalidated out of service on the ground of ‘DRUG DEPENDENCE’. He availed all departmental remedies, but could not get any positive relief. The petitioner, thus, filed SWP No. 618/2010 in this Court which on transfer to the Tribunal was registered as TA No. 331/2017. The TA was disposed of by Tribunal vide order dated 19.09.2019 directing the respondents to conduct Re-survey Medical Board of the petitioner, providing further that if any disability was found attributable to or aggravated by Army Service, the petitioner would be granted the disability pension.
4. In compliance with the judgment dated 19.09.2019, Re-survey Medical Board was conducted. It was opined by the Medical Authority in terms of its opinion dated 26.08.2022 that the petitioner was clinically free from ailment of drug abuse, but his disability was assessed as 6-10% for life and, consequently, no order of disability was passed.
5. We have considered the submissions made by learned counsel for the parties and are of the considered opinion that the petitioner was rightly



boarded out of Army service on 15.07.2002 being case of 'DRUG DEPENDENCE'.

6. It is true that when the Re-survey Medical Board was conducted on 26.08.2022, he was clinically found free from ailment of drug abuse, but his disability was only to the extent of 6-10% for life and, therefore could not qualify for disability pension.
7. We cannot accept the submission of learned counsel for the petitioner that a person who has been boarded out of Army Service on account of Drug abuse/Drug dependence can be held entitled to disability pension. Such a disability on the face of it is self-inflicted and, therefore cannot be attributed to or aggravated by Army Service.
8. The Tribunal has taken correct view in the matter and has rightly dismissed the petition. We, therefore, see no good reason to interfere with the judgment passed by the Tribunal and this petition
9. This petition is found devoid of any merit and is, accordingly dismissed.

(Sanjay Parihar)
Judge

(Sanjeev Kumar)
Judge

JAMMU
09.02.2026
Manik

Whether this order is reportable: Yes/No

Whether this order is speaking: Yes/No

