



CWP-32116-2025

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2026:PHHC:074375-DB



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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Date of decision : 12.05.2026

Union of India and others**...Petitioners****Vs.****Ex.Naik Surender Kumar
No.14484158 and another****...Respondent(s)**

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr. Maneesh Bali, Sr.Panel Counsel
for the petitioners.

None for the respondents.

HARSIMRAN SINGH SETHI, J.(Oral)

1. In the present petition, challenge is to the impugned order dated 19.12.2022 (Annexure P-1) passed by the respondent No.2- Armed Forces Tribunal, Regional Bench, Chandigarh (hereinafter referred to as 'Tribunal'), by which, respondent No. 1 has been held entitled for the grant of service pension after condoning the shortfall of service equivalent to 01 year and 80 days.

2. Learned counsel for the petitioners submit that the issue raised in the present petition with regard to the grant of benefit of condonation shortfall in service so as to consider the service of the officer concerned as minimum of 15 years, which is the minimum qualifying service required for the grant of service pension, disability pension including the family pension as the case may be, has already been decided by the Hon'ble the Supreme Court of India



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while passing judgment in *Union of India and others Versus Balakrishnan Mullikote (Ex.HAV 256812 M) Civil Appeal arising out of Diary No.27446 of 2023, decided on 24.03.2026.*

3. We have heard learned counsel for the petitioners and have gone through the case file with his able assistance.

4. Keeping in view the fact that while passing order in *Balakrishnan Mullikote's case (supra)*, the soldiers having similar service as of respondent have already been granted the relief, which fact has been conceded by the learned counsel for the petitioners hence, the challenge to the relief granted to the respondent, cannot be entertained in view of the judgment passed in *Balakrishnan Mullikote's case (supra)*.

5. Keeping in view the facts mentioned hereinbefore the issue raised in this petition is covered by the judgment in *Balakrishnan Mullikote's case (supra)*, the present petition is dismissed in the same terms and conditions as held in *Balakrishnan Mullikote's case (supra)*.

7. Civil miscellaneous application pending if any, also stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

12.05.2026

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Whether speaking/reasoned :
Whether Reportable :

Yes
No