

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

D.B. Civil Writ Petition No. 6655/2026

Jc- 186907K Ex Sub Bajrang Lal Gaur S/o Shri Mang Raj Gaur,
Aged About 80 Years, Resident Of Vpo Chundia, Tehsil Merta
City, Distt Nagaur (Rajasthan)

-----Petitioner

Versus

1. Union Of India, Through The Secretary, Government Of India, Ministry Of Defence, New Delhi 110011
2. The Chief Of The Army Staff, Army Headquarters
3. The Principal Controller, Defence Accounts (Pension) Allahabad (Up) 211014
4. Aoc Records, Pin 900453 C/o 56 Apo

-----Respondents

For Petitioner(s)	:	Mr. Dharmpal Singh Dhaka
For Respondent(s)	:	Mr. H.R. Rawal

**HON'BLE MR. JUSTICE ARUN MONGA
HON'BLE MR. JUSTICE SANDEEP SHAH**

Order

07/05/2026

1. In the present writ petition filed by the petitioner, a challenge has been laid to the order dated 26.04.2023 passed by learned Armed Forces Tribunal, Regional Bench, Jaipur (Circuit Bench at Jodhpur) whereby Original Application No.02/2018 titled as "*Ex. Sub Bajrang Lal Gaur vs. Union of India & Ors.*", was allowed partly and the petitioner-applicant was held entitled for grant of Disability Element of Disability Pension rounded off to 50% from the date of his discharge. However, the arrears were limited to 3 years prior to the date of filing of the original application in question.

2. In light of the judgment passed by the Hon'ble Apex Court in the case of *"Union of India vs. SGT Girish Kumar & Ors."* in Civil Appeal Nos.6820-6824 of 2018 and other connected matters decided on 12.02.2026, wherein the Hon'ble Apex Court has held that the disability pension has to be given from the date of invalidity and not from the three years of claim, the present writ petition is allowed.
3. Accordingly, the order dated 26.04.2023 passed by learned Armed Forces Tribunal (AFT), Regional Bench, Jaipur (Circuit Bench at Jodhpur), stands modified to the extent of restricting the arrears of Disability Element of Disability Pension to three years prior to the date of filing the Original Application w.e.f. 02.01.2015 and it is ordered that the petitioner shall be entitled to arrears of disability pension w.e.f. the date of his discharge i.e. 01.01.1997.
4. The writ petition is thus accordingly disposed of.
5. Stay petition and all pending applications are hereby disposed of.
6. No order as to costs.

(SANDEEP SHAH),J

(ARUN MONGA),J

44-mohit/charul/-