

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Writ Petition No. 8492/2025
URN: CW / 19498U / 2025

The Union Of India

-----Petitioner

Versus

Smt. Sumitra Wd/o No. 6601719 Late Sep Sumer Singh

-----Respondent

For Petitioner(s)	:	Ms. Manjeet Kaur with Ms. Taruna Singh and Ms. Garima Sharma
For Respondent(s)	:	Mr. Aslam Khan

HON'BLE MR. JUSTICE INDERJEET SINGH
HON'BLE MR. JUSTICE SANDEEP TANEJA

Order

09/07/2026

Learned counsel for the petitioner submits that the deceased employee was discharged from army service on 23.12.1974 and he is not entitled for pensionary benefits as he did not complete 15 years of service as per Pension Regulations of Army, 1961.

Learned counsel further submits that learned Tribunal has wrongly considered the Pension Regulations of Army 2008 which are not applicable in this matter.

Learned counsel for the respondent relied upon the judgment passed by the Hon'ble Supreme Court in case of Union of India & Anr. vs. Surender Singh Parmar reported in (2015) 3 SCC 404.

Heard and considered.

Prima facie, we are of the considered view that the Tribunal has not considered the Pension Rules of 1961 which are applicable in this matter.

In that view of the matter, list this case for final disposal on 28.07.2026.

Meanwhile, operation of the order dated 09.05.2023 passed by the Tribunal shall remain stayed.

(SANDEEP TANEJA),J

(INDERJEET SINGH),J

ANIL SHARMA/45