

COURT NO. 1
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

75.

MA 4494/2025 in OA 2732/2022

Capt (TS) Chandran Suresh (Retd) Applicant
Versus
Union of India & Ors. Respondents

For Applicant : Mr. Shakti Chand Jaidwal, Advocate
For Respondents : Mr. R S Chhillar, Advocate

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE MS. RASIKA CHAUBE, MEMBER (A)

ORDER
15.12.2025

MA 4494/2025

This application has been filed for early hearing of OA 2732/2022. In OA 2732/2022, the prayer made by the applicant in Para 8 reads as under:-

- “(a) Set aside the impugned order dated 13.07.2022 passed by the Respondents, rejecting second and final appeal of the Applicant for grant of disability pension;
- (b) Direct the Respondents to treat Applicant's disabilities, namely, IDs (i) “PSORIATIC ARTHRITIS”, (ii) ACS-STEIWMI (iii) HYPERTROPHIC OBSTRUCTIVE CARDIOMYOPATHY (iv) PRIMARY HYPERTENSION and (v) IMPAIRED GLUCOSE TOLERANCE as “Attributable to/Aggravated by Service”.
- (c) Direct the Respondents to grant disability pension to the Applicant @ 73% for life w.e.f. 01.05.2021, as degree of his disablement has been assessed @ 73% for life by the RMB;
- (d) Direct the Respondents to pay disability pension to the Applicant at enhanced rate of 75% for life from

the date of his retirement from service i.e. 01.05.2021 by broad-banding his disabilities from 73% to 75% as per Govt. Policy dated 31.01.2001;

(e) Direct the respondents to pay to the Applicant an interest @ 10% p.a. on the arrears of disability pension w.e.f. 01.05.2021 till the actual payment an/or;

(f) Issue such other order(s)/direction(s) as may be deemed appropriate in the facts and circumstances of the case.”

2. Even though in prayer clause 8 (b) applicant had sought grant of disability element of pension in respect of (i), (ii), (iii), (iv) and (v) in the application submitted for early hearing, learned counsel for the applicant submits that the applicant gives up his prayer with regard to ailment (ii) to (v) i.e., (ii) ACS-STEIWMI (iii) HYPERTROPHIC OBSTRUCTIVE CARDIOMYOPATHY (iv) PRIMARY HYPERTENSION and (v) IMPAIRED GLUCOSE TOLERANCE, applicant is only insisting upon grant of benefit of disability @ 30% for life in respect of the ailment (i). i.e., Psoriatic Arthritis.

3. Taking note of the aforesaid, we allow the application for early hearing.

4. MA stands disposed of.

OA 2732/2022

5. Heard on the question of ailment mentioned in Para 8 (b)(i) aggravated by military service. We allow the original application vide the following detailed order.

6. The brief facts of the case are that the applicant was commissioned in the Indian Navy on **01.07.1986** and discharged from service on **30.04.2021** after about 35 years of qualifying service. The Release Medical Board held that the (i) disability of the applicant in respect of which he is now pressing his claim, i.e., Psoriatic Arthritis as 'Aggravated by Service'. The onset of the ailment, as per RMB, is from April 2018.

7. Against initial rejection of disability claim the applicant preferred first and second appeal on **20.09.2021** and on **09.02.2022** respectively which were also dismissed. Aggrieved by the same, the applicant has approached this Tribunal.

8. The applicant claims disability benefit for Psoriatic Arthritis @ 30% which is said to be aggravated on account of military service and in the medical board proceedings held on **21.10.2021**, with regard to Psoriatic Arthritis, it has been held that the same is aggravated by military service and the disability has been assessed @ 30%. Further, in view of the Para 10 and 11 of Entitlement Rules, 2008 and so also vide Para 4.1, Category B of policy letter No. 1(2)/97/D(Pen-C), Government of India, Ministry of Defence, New Delhi dated 31st January, 2001, applicant is entitled for disability pension for Psoriatic Arthritis.

9. Keeping in view the aforesaid, as the ailment is aggravated by military service, we allow the ailment with regard to disability for Psoriatic Arthritis @ 30% for life rounded off to 50% for life from the date of retirement, i.e., 30.04.2021, in the light of the judgment rendered by the Hon'ble Supeme Court in *Union of India vs. Ram Avtar, Civil Appeal No. 418 of 2012*.

10. In view of the above, we allow the application to the extent of granting disability pension at 50% for Psoriatic Arthritis. However, in view of the judgment of Hon'ble Supreme Court in the case of *Union of India and others Vs. Tarsem Singh* (Civil Appeal No. 5151-5152/2008) the arrears shall be restricted to three years prior to the filing of the OA, i.e., 22.11.2022 and payable to the applicant within four months of the receipt of a copy of this order failing which it shall earn interest @ 6% p.a. till the actual date of payment.

11. The application stands disposed of.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

[RASIKA CHAUBE]
MEMBER (A)

Priya