

COURT No.2  
ARMED FORCES TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

PART-HEARD  
27.

OA 1074/2019

Ex Nk (TS) Pawan Kumar Parihar ..... Applicant  
VERSUS  
Union of India and Ors. .... Respondents

For Applicant : Mr. Sukhbir Singh, Advocate for  
Mr. Virender Singh Kadian, Advocate  
For Respondents : Mr. Avdhesh Kumar Singh, Advocate  
Maj Abhishek Kumar, OIC, Legal Cell

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)  
HON'BLE REAR ADMIRAL DHIREN VIG, MEMBER (A)

ORDER  
16.03.2026

The counter affidavit that the respondents have placed on record indicates vide averments made in paragraph 2 thereof to the effect that the petitioner was entitled to get War Injury Element @ 75% w.e.f. 01.01.2016 and that the said aspect has also been communicated to the petitioner. The contents of Para 2 of the counter affidavit at page 51 reads to the effect:-

*"2. As per provisions contained in Para 12 (b) (ii) of Casualty Pensionary award 2008, no separate assessment for multiple disabilities is required to be done and only one composite assessment is given by the medical authority during the Release Medical Board keeping in mind the combined effect of the disabilities on the effected person. In the instant case, composite assessment of petitioner's disability was given by the Release Medical Board as 50% (A copy of composite assessment of petitioner's disability was given by the Release Medical Board is annexed here with as Annexure-R-2). Based on the said assessment and after applying rounding off benefit in terms of Government of India Ministry of Defence letter No 17 (01)/2017 (02)/D (Pension/Policy) dated 05 Sep 2017 (A copy of composite assessment of*

*petitioner's disability was given by the Release Medical Board is annexed herewith as Annexure-R-3), the petitioner is now entitled to get War Injury Element @ 75% with effect from 01 Jan 2016. The revision of his War Injury Element is required to be carried out by his Pension Disbursing Agency (PDA) and for this purpose no separate PPO is required to be issued as clarified vide Government of India, Ministry of Defence letter No 17(01)/2017(02)/D (Pen/Policy) dated 23 Jan 2018 (A copy of Government of India, Ministry of Defence letter No 17(01)/2017(02)/D (Pen/Policy) dated 23 Jan 2018 is annexed herewith as Annexure R-4) and PCDA (P), Allahabad Circular No 596 dated 09 Feb 2018 (A copy of PCDA (P), Allahabad Circular No 596 dated 09 Feb 2018 is annexed herewith as Annexure-R-5). The said facts were also communicated to the petitioner vide Records JAK RIF vide letter No SR/13761805/CC dated 14 Dec 2018 (A copy of Records JAK RIF vide letter No SR/13761805/CC dated 14 Dec 2018 is annexed herewith as Annexure R-6) in reply to his Legal Notice No USK/424/11/2018 dated 15 Nov 2018 (A copy of Legal Notice No USK/424/11/2018 dated 15 Nov 2018 is annexed herewith as Annexure R-7)."*

3. Counsel for the applicant further submits that in terms thereof the PPO No. 219201400876 dated 02.05.2025 has been issued and copy of the same has submitted by the learned counsel for the applicant which indicates that the applicant is in receipt of 75% of War Injury Element of the disability pension.

4. Counsel for the applicant seeks to withdraw the OA submitting to the effect that the applicant's prayers have been redressed. The OA 1074/2019 is thus dismissed as withdrawn as prayed.

(JUSTICE ANU MALHOTRA)  
MEMBER (J)

(REAR ADMIRAL DHIREN VIG)  
MEMBER (A)

