

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 1098 OF 2014
DECIDED ON: DECEMBER 18, 2017

RANBIR SINGH

.....PETITIONER

VERSUS

UNION OF INDIA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Rajeev Anand, Advocate for the petitioner.

Mr. P.K. Longia, Advocate for the respondent-UI.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ in the nature of mandamus directing the respondents to grant and release disability pensionary benefits in accordance with government instructions and circulars applicable to the battle injured personnel under the Central Civil Services (Extra Ordinary Pension) Rules, 1939 as amended upto date particularly in letter dated 10.12.2010 (P-9) alongwith arrears and interest @ 18% from the date of retirement till its realization. And further to revise and grant the service gratuity along with other applicable grants like lump sum compensation etc. for having sustained injury at the hands of terrorists.

2. At the very outset of the arguments, learned counsel for the petitioner submits that the case of the petitioner is squarely covered within the parameters laid down by this Court in *CWP No.3267 of 2009*, titled as

“Jaswant Singh (Ex Constable/General Duty No.903075324) v. Union of India and others, decided on 10.03.2010 and *CWP No. 16310 of 1996*, titled as *“Ex-Naik Run Singh v. Commandant, 54 Battalion, Boarder Security Force, C/o 56 APO and another”*, decided on 12.01.2012. He further submits that petitioner feels satisfied in case direction is issued to respondent(s) to consider the case of the petitioner in terms of aforementioned judgments.

3. Accordingly, without expressing any opinion on the merits of the case, the instant petition is allowed with the direction to the respondents to consider the case of the petitioner and take a conscious decision in the light of observations made by this Court in *CWP No.3267 of 2009*, titled as *“Jaswant Singh (Ex Constable/General Duty No.903075324) v. Union of India and others”*, decided on 10.03.2010 and *CWP No. 16310 of 1996*, titled as *“Ex-Naik Run Singh v. Commandant, 54 Battalion, Boarder Security Force, C/o 56 APO and another”*, decided on 12.01.2012, within a period of three months from the date of receipt of certified copy of this order.

4. As far as grant of interest on delayed payment is concerned that shall also be considered in view of the observations made by Full Bench of this Court in case captioned as *“R.S. Randhawa vs. State of Punjab, 1997 (3) RSJ 318*.

5. However, if the petitioner still feels aggrieved against any of the order(s) passed by the concerned authority, he shall be at liberty to approach this Court.

DECEMBER 18, 2017
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(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes/No</i>