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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 6040/2016**

JAI PARKASH

..... Petitioner

Through: Mr. Lalit Kumar, Advocate.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr. Ravi Prakash, CGSC and
Mr. Farman Ali & Mohd. Shahan
Ulla, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

18.07.2019

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The petitioner has preferred the present writ petition, inter alia, to stake his claim for pension upon his being bordered out from the respondent Border Security Force (BSF) on account of major depressive disorder. He has also sought a direction to award his pending LIC claim. Other reliefs on the same lines have also been sought.

On 16.11.2017, this Court passed the following order:

“1. Learned counsel for the respondents states that pursuant to the order dated 19th May, 2017, the Department had examined the issue of payment of money to the petitioner as claimed by him from the Life Insurance Corporation, but on perusing the Master Policy issued by the Life Insurance Corporation in favour of the BSF, it transpires that the petitioner is not eligible for any payment thereunder. A copy of the Master Policy has been furnished by him and is taken on record.

2. Counsel for the respondents further submits that the BSF has already released the disability pension to the petitioner whereunder he is receiving a sum of Rs.12,830/- per month and he has also received a consolidated gratuity from a sum of Rs.22,264/-.

3. Counsel for the petitioner states that the submission made by the other side with regard to the Master Policy is incorrect and he would like to address arguments on this aspect on the next date of hearing.

4. List on 10th April, 2018.”

So far as the claim for pension is concerned, since the petitioner, admittedly, did not have the minimum qualifying service of 10 years, he is not entitled to pension. The only claim that the petitioner now presses is his claim for insurance in respect of the policy issued by the LIC of India under the Master Policy EGI/321 665 granted to the BSF. This is a group insurance scheme taken by the respondent from the LIC.

We dispose of this petition with a direction to the respondents to pursue the claim on behalf of the petitioner with the LIC under instructions from and under guidance of the petitioner. The petitioner shall be responsible for all the statements and claims made by him in this regard and he shall cooperate with the respondents for the said purpose. The petitioner shall in clear and categorical terms submit his statement that he is entitled under the policy and the respondent shall remain indemnified in that regard. In case the claim is rejected by the LIC, it shall be open to the petitioner to pursue such remedy as may be available in law.

VIPIN SANGHI, J

RAJNISH BHATNAGAR, J

JULY 18, 2019

B.S. Rohella