IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(S) No. 4177 of 2007
With
I.A. No. 8143 of 2017

Om Prakash Tiwari ..... Petitioner

Versus

1. Union of India
2. Director General, Boarder Security Force, New Delhi
3. Dy. Inspector General of Boarder Security Force, 99 APO Meru Camp, Hazaribagh
4. Additional Deputy Inspector General (Establishment), Directorate General, Boarder Security Force, New Delhi

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioner : Mr. Saurav Shekhar, Advocate
For the Respondents : Mr. Pratyush Kumar, Advocate

11/09.12.2020 Heard learned counsel for the parties through V.C.

2. The instant application has been preferred by the petitioner for quashing and setting aside the decision dated 20.11.2006 (Annexure-11), whereby the petitioner has been paid lump sum compensation to the tune of Rs.2,32,069/- only, as disability compensation.

3. Mr. Saurabh Shekhar, learned counsel for the petitioner fairly submits that the petitioner has filed a representation with respect to enhancement of compensation amount but the same is yet to be decided.

He further relied upon a judgment passed by this Court in a similar matter, being L.P.A. No. 63 of 2013.

He submits that the instant application may be disposed of by giving liberty to the petitioner to file a fresh representation and the respondents be directed to ignore the impugned letter dated 20.11.2006 and pass a fresh order in the light of the judgment passed in similar case.

4. Mr. Pratyush Kumar, learned counsel for the respondent B.S.F. submits that the said order is not applicable in the instant case, however, if the petitioner prefers a fresh representation before the Respondent No. 3; the same shall be considered in accordance with law.

5. In view of the limited submissions of learned counsel for the parties, without going into merits of the case, the instant writ application is hereby disposed of by giving liberty to the petitioner to file a fresh representation raising his grievance before the Respondent No.3 along with supporting documents/judgments within a period of 12 weeks from today.

If any such representation is preferred before the Respondent No. 3; the same shall be disposed of in accordance with law, rules and regulations.

It goes without saying that while passing the reasoned order, the respondent will ignore the letter dated 20.11.2006 (Annexure-11).

It is made clear that the aforesaid reasoned order shall be passed within a period of four months from the date of receipt of such representation.

6. With the aforesaid observation and direction, the instant application is disposed of.

I.A. No. 8143 of 2017

7. In the light of final order passed in this writ petitioner, the Interlocutory Application also stands disposed of.

(Deepak Roshan, J.)

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