

23.11.2023
Court No. 13
Item No. 6
AP

WPA 17829 of 2023

**Niyati Mondal
Vs.
Union of India and Ors.**

Mr. Lal Ratan Mondal

... For the Petitioner.

Mr. Rudra Jyoti Bhattacharjee
Ms. Debjani Ghosal

... For the Respondents.

1. The Border Security Force (hereinafter referred to as “the BSF”) is represented.

2. It is submitted that a total sum of Rs.30,00,000/- was payable on Golden Jubilee Seema Prahari Kalyan Kawach (GJSPKK) scheme on account of the death of the petitioner’s son. Rs.15,00,000/- has been paid to the writ petitioner i.e. mother of the deceased and the balance Rs.15,00,000/- has been paid to the widow of the deceased son of the writ petitioner.

3. A sum of Rs.4,85,616/- on account of Death Gratuity has been entirely paid to the petitioner i.e. mother of the deceased. A sum of Rs.75,000/- has also been paid to the writ petitioner on account of Financial Assistance out of Contributory Benevolent Fund/Special Relief Fund of BSF. A sum of Rs.33,979/- on account of CGEGIS has entirely been paid to the writ petitioner. A sum of Rs.24,160/- has also been paid to the writ petitioner on account of TA on death/retirement.

4. In so far as pension is concerned, in terms of Rule 50 of the CCS (Pension) Rules, 2021, the same is payable exclusively to the widow of the deceased son of the writ petitioner.

5. Counsel for the writ petitioner submits that he has no instruction in so far as any payment other than Rs.15,00,000/- is concerned.

6. Be that as it may, the aforesaid payment has been recorded on the basis of the instructions received by the learned counsel appearing on behalf of the BSF and this Court has no reason to disbelieve.

7. Learned counsel for the BSF submits that an affidavit has been prepared but is yet to be affirmed.

8. This Court has recorded the substance of the stand of the BSF. A formal affidavit may be drawn up and affirmed by the BSF. A copy thereof may be served on the writ petitioner and be filed with the Registry in terms of this order.

9. With the aforesaid directions, the writ petition is disposed of.

10. There shall be no order as to costs.

11. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)