

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

115

CWP-4166-2024
Date of Decision : 22.03.2024

PREM CHAND ... PETITIONER

Versus

UNION OF INDIA AND ORS ... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

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

Mr. Arihant Goyal, Sr. Panel Counsel
for the respondents-UOI.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of Constitution of India is seeking directions to the respondents to grant disability pension under Category ‘E’ instead of Category ‘D’ of CCS (Extraordinary Pension) Rules, 1939.
2. The petitioner was enrolled on 07.07.1991 in CRPF as Constable. He on 25.02.1995 along with other members of Armed Forces was travelling by train No.5908 Brahmaputra Mail. A bomb blasted in the said train while it was passing through Assam bordering Nagaland. In the said incident, 06 officials were killed and 05 including the petitioner were seriously injured. The petitioner continued to perform his duties till 2021. The respondent vide order dated 29.01.2022 invalidated him because he was assessed 95% disability. He was granted extraordinary pension under Category ‘D’.
3. Mr. Ujwal Anand, Advocate submits that case of the petitioner falls under Category ‘E’ as contemplated by office memorandum dated 03.02.2000

(Annexure P-6) and 10.12.2010 (Annexure P-7) whereas respondent has wrongly classified him under Category ‘D’. He has filed representation dated 29.09.2023 (Annexure P-9) but to no avail. He further submits that grievance of the petitioner, at this stage, would be redressed, if respondents are directed to consider representation of the petitioner in a time bound manner.

4. Notice of motion.
5. Mr. Arihant Goyal, Sr. Panel Counsel, accepts notice on behalf of respondents-UOI and submits that representation dated 29.09.2023 (Annexure P-9) of the petitioner would be decided within 3 months from today.
4. In the wake of statement of counsel for the respondents-UOI, the instant petition stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

22.03.2024
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>