

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

210

CWP-17362-2017 (O&M)

Date of Decision : 16.01.2024

DEEPAK

..... PETITIONER

V/S

UNION OF INDIA AND ORS

..... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

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

Mr. Shivoy Dhir, Senior Panel Counsel
for the respondents-Union of India.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through the instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of report dated 27.10.2016 (Annexure P-7); notice dated 01.02.2017 (Annexure P-10), report of Medical Board dated 01.02.2017 (Annexure P-11) and opinion of Review Medical Board dated 25.04.2015 (Annexure P-15) whereby he has been invalidated from the Force. The petitioner is further seeking direction to respondents to consider his claim for invalidation/disability pension.

2. Counsel for the petitioner, at the outset, confines his prayer qua invalidation/disability pension and consequential benefits. He submits that petitioner has been invalidated on account of his medical condition which he suffered during service. He is eligible for disability/invalidation pension.

The respondent, on the one hand, has invalidated him and on the other

hand, neither disability nor invalidation pension has been released.

3. Faced with this, counsel for respondents submits that Competent Authority would consider claim of the petitioner qua invalidation/disability pension and appropriate order shall be passed.

4. In the wake of statements of both sides, the petition stands disposed of with a direction to respondents to pass speaking order within 6 months from today qua claim of the petitioner for disability/invalidation pension and consequential benefits. The order shall be passed after granting opportunity of hearing to the petitioner.

5. Pending miscellaneous application(s), if any, shall also stand disposed of.

16.01.2024
anju

(JAGMOHAN BANSAL)
JUDGE

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