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IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P.(C) 7290/2024

SHRIBHAGWAN

.....Petitioner

Through: Mr.Abhay Kr.Bhargava, Adv.

versus

UNION OF INDIA & ORS.

.....Respondent

Through: Mr.Sahaj Garg with Ms.Bharti,
Ms.Shilpa Kaushik, Mr.Raghav Anthwal,
Mr.Anchit Baliyan, Advs.
Mr.Rudra Paliwal, GP.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

25.07.2024

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1. The petitioner, who is working as a Head Constable with the Border Security Force (BSF), has approached this Court seeking the following reliefs:-

“i. Issue a writ of certiorari or any other writ, order or direction, thereby quashing of the communication dated 05.04.2021 issued by the Commandant 114 BN BSF in terms of which the benefits of "Para Military Salary package" scheme run by the State Bank of India which provides for certain benefits including permanent/total disability cover was denied to the petitioner despite his eligibility for the same.

ii. Issue a writ of mandamus or any other appropriate writ, order or direction, directing the respondents to award the petitioner the benefits of disability cover flowing from Central Armed Police Salary Package Gold account as per the Memorandum with DG BSF and SBI, along with 12% interest from the date of Disability considered by the BSF Medical Board.



iii. Issue a writ of mandamus or any other appropriate writ, order or direction, directing the respondents to grant compensation to the Petitioner under Golden Jubilee Seema Prahari Kalyan Kawach being run by the Directorate General of the BSF along with 12% interest from the date of Disability considered by the BSF Medical Board.”

2. Learned counsel for the respondent nos.1 to 3, who appears on advance notice, hands over a copy of a letter dated 17.05.2024 and submits that the amount claimed by him by way of prayer (iii) already stands remitted in his bank account. Furthermore, in respect of his other relief sought by way of prayer (ii), the respondent nos.1 to 3 have already written to the respondent no.5 to release the amount to the petitioner upon submission of the requisite documents by him. A copy of the said communications are handed over in Court and are taken on record.
3. In the light of the aforesaid, we see no reason to keep the present petition pending any further. The same is, accordingly, disposed of by granting liberty to the petitioner to approach the respondent no.5/the State Bank of India on the basis of the respondent no.3's communication dated 16.05.2024. It is, however, made clear that in case, the petitioner still has any grievance against respondent no.5, it will be open for the petitioner to seek legal recourse as permissible in law.

REKHA PALLI, J

SHALINDER KAUR, J

JULY 25, 2024/sr