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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 11687/2024

BRIJ LAL

.....Petitioner

Through: Mr.Vivek Tiwari, Adv.

versus

UNION OF INDIA & ORS.

.....Respondent

Through: Ms.Iram Majid, CGSC with Mr.
Mohd. Suboor, Adv & Mr.Gopesh Jindal, GP.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

23.08.2024

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1. The petitioner, whose services were terminated on medical grounds from the Border Security Force(BSF) as a Head Constable after it was found that he was suffering from 70% permanent disability, has approached this Court seeking the following reliefs:-

“1. 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 under "Golden Jubilee Seema Prahari Kalyan Kawach" wherein compensation for disability between 51% to 75% is Rs. 15 Lac along with 12% interest from the date of the disability considered by the BSF Medical Board.

2. 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 (i.e., total compensation of Rs. 50 lacs) flowing from Para Military Salary Package (PMSP) account by the SBI, along with 12% interest from the date the date of the disability considered by the BSF Medical Board.”



2. After some arguments, learned counsel for the petitioner submits that for the present, the petitioner would be satisfied, in case, the writ petition were to be treated as a representation by the respondents and disposed of by a reasoned and speaking order.
3. Issue notice. Learned counsel for the respondents accepts notice and has no objection to this limited prayer sought by the petitioner.
4. In the light of this stand taken by the parties, the writ petition is disposed of by directing the respondents to treat the present writ petition as a representation of the petitioner and dispose of the same within a period of eight weeks by passing a reasoned and speaking order.
5. Needless to state, this Court has not expressed any opinion on the merits of the claims raised by the petitioner and, therefore, in case, he is aggrieved by any order passed by the respondents, it will be open for him to seek legal recourse as permissible in law.

REKHA PALLI, J

SHALINDER KAUR, J

AUGUST 23, 2024

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