

WPA 25740 OF 2025

**Shalendra Singh @ Shailendra Singh
Vs.
Union of India & Ors.**

Mr. Chirantan Sarkar
Mr. Sultan A. Mondal

...for the petitioner

Mr. Brojesh Jha
Mr. Goutam Dinda

...for the UOI

1. Petitioner, by presenting this writ petition, *inter alia*, has prayed for payment of *ex gratia* as the petitioner being member of Border Security Force suffered bullet injury. At the material point of time petitioner was posted in Kashmir. Reliance is placed on certificate issued by Civil Surgeon, Jalandhar dated 7th December, 1997. According to the petitioner, he was permanently disabled due to bullet injury he suffered which makes him entitled to receive Rs. 0.75 lakh towards *ex gratia*.
2. Mr. Brojesh Jha, learned advocate representing the Union of India appears on virtual mode and has opposed the prayer of the petitioner. It is submitted, already Rs. 5,000/- was paid to the petitioner for his

treatment just after the incident wherein petitioner got injured. It is further submitted that whatever was payable to the petitioner for suffering bullet injury was paid to the extent of Rs. 5,000/- and no further amount is payable to the petitioner.

3. Petitioner was serving in BSF and retired on superannuation on 30th November, 2025. According to the petitioner, till date, *ex gratia* which was payable to the petitioner in terms of relevant order, remains unpaid. A Government Order is placed before this Court dated 10th July, 1990 relating to payment of *ex gratia* relief for being permanently or partially disabled as a result of violence attributable to the breach of law and order or any other form of civil commotion. Members of BSF who were killed, are also entitled to get *ex gratia* as per said order dated 10th July, 1990.

4. Clause (B) clearly provides for permanent disability of a member of BSF he is entitled to receive Rs. 0.75 lakh. In the present case, certificate dated 7th December, 1997 issued by Civil Surgeon, Jalandhar discloses that petitioner became permanently disabled (100%) and nature of disability was traumatic paraplegia. Therefore, it appears that in terms

of the aforesaid order dated 10th July, 1990 petitioner is entitled to receive Rs. 0.75 lakh towards *ex gratia*.

5. Hence, concerned authority of Border Security Force is directed to release Rs. 0.75 lakh to the petitioner by 4 (four) weeks from the date of communication of this order along with 6% interest from the date the amount became payable to the petitioner till the date of payment.
6. Writ petition stands disposed of.
7. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)