



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

213

CWP-3804-2022

Date of Decision: 19.05.2026

JAIPAL SINGH

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Rajeev Anand, Senior Advocate with
Ms. Yukti Shandil, Advocate for petitioner

Mr. Akshit Pathania, AAG, Haryana

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondent to grant *ex gratia* compensation as per policy dated 04.01.2006 (as amended).

2. The petitioner joined CRPF as Constable (General Duty) on 09.02.1987. He suffered gunshot injury on 26.07.1995 while posted with 111 Battalion, CRPF. His right knee was amputated. His disability was assessed to the extent of 85%. He vide order dated 14.06.2008 was boarded out, however, in view of instructions dated 11.11.2008 issued by CRPF, was retained in service. It is apt to notice here that he preferred *CWP-13242-2008* before this Court assailing his de-boarding. The said petition was disposed



of as having been rendered infructuous vide order dated 30.03.2009. He was finally boarded out in July' 2020. He claims that he should be paid *ex gratia* financial assistance announced by the State of Haryana vide policy dated 04.01.2006 (as amended).

3. Learned Senior Advocate for the petitioner submits that the State Government in its policy dated 04.01.2006 (as amended) announced *ex gratia* financial assistance to soldiers who are resident of the State of Haryana and suffered injury while performing official duties. The petitioner suffered injury in 1995 and was boarded out in July' 2020. He was entitled to *ex gratia* financial assistance. The respondent has wrongly rejected his claim.

4. *Per contra*, learned State counsel submits that petitioner suffered injury in 1995 and at that point of time, no policy was in vogue. The petitioner was not boarded out and remained in service for 25 years, thus, is not covered under the policy.

5. Heard the arguments and perused the record.

6. From the perusal of record, it is evident that petitioner suffered bullet injury in 1995. He became disabled. The force decided to board him out, however, he was retained for next 25 years. He was boarded out in July' 2020 because he became totally unfit for the service. The State Government declared *ex gratia* scheme in 2006. The amount prescribed in the original scheme for disability of 70% and above was ₹1 lakh. The said amount was revised w.e.f. 19.02.2014. The amount of financial assistance was increased from ₹1 lakh to ₹15 lakhs. As per letter dated 25.08.2014 (Annexure R-2),



the enhanced amount was applicable to soldiers who suffered injury on or after 19.02.2014. The petitioner suffered injury in 1995, thus, was entitled to *ex gratia* as per policy of 2006. The respondent is denying benefit even of unrevised compensation on the ground that petitioner was not boarded out immediately after injury. The respondent is relying upon Clause (iv) of the policy dated 31.01.2014. The said clause is reproduced as below: -

“(iv) THOSE WHO ARE NOT ELIGIBLE

- (i) Physical Casualties i.e. Natural death accidental deaths like MT accidents, air crash in general journey or handling of explosive in any area/sector*
- (ii) Those disabled soldiers who are retained in the Central Para Military Forces and not boarded out on medical grounds even though their disability is attributable to service.”*

7. From the perusal of aforesaid clause, it is evident that benefit is not available if soldier has not been boarded out on the medical ground. In the present case, the petitioner suffered injury. He was 85% disabled and was boarded out in 2020. He did not superannuate whereas was boarded out. It is immaterial that on which date he was boarded out. He could not claim benefit prior to being boarded out. He was supposed to comply with twin conditions i.e. disability and boarding out. First condition he complied in 1995, however, second condition was complied in 2020. He was entitled to *ex gratia* as per policy dated 31.01.2014.

8. Accordingly, it is hereby held that petitioner is entitled to *ex gratia* as per policy dated 31.01.2014. Let the payment be made within 8



weeks from today. It is made clear that he is not entitled to revised/enhanced amount of compensation.

- 9. Allowed in above terms.
- 10. Pending Misc. application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

19.05.2026
SDK

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No