



\$~12

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 14230/2022

SURENDER SINGH

.....Petitioner

Through: Mr.Abhay Kumar Bhargava,
Adv.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Mr.Vikrant N Goyal, Panel
Counsel for UOI.

Mr.Siddharth Sangal,

Ms.Harshita Agrawal,

Mr.Chirag Sharma & Ms.Richa
Mishra, Advs. for SBI.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

% **04.11.2024**

1. This petition has been filed by the petitioner praying for the following reliefs:-

“i. Issue a writ of mandamus or any other appropriate writ, order or direction, directing the respondents to grant compensation to the Petitioner under BSF Golden Jubilee Seema Prahari Kalyan Kawach along with 12% interest from the date of accrual.

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 Central Armed Police Salary Package account, along with 12% interest from the date of accrual.”

2. As far as prayer (i) is concerned, the learned counsel for the petitioner submits that by an order dated 04.01.2023 issued by



Ministry of Home Affairs, Border Security Force (Account Branch), the said relief has been granted to the petitioner, however, without interest. He submits that as far as prayer (i) is concerned, the only claim remaining to be adjudicated is of interest payable on the above amount.

3. For prayer (ii), the learned counsel for the petitioner submits that in terms of the insurance cover granted by respondent nos.4 and 5, any serving personnel suffering from permanent/total disability shall be paid compensation of Rs.30 lacs. He has drawn our attention to the communication dated 07.01.2019 in this regard.

4. In response, the learned counsel for the respondents contends that the said insurance cover would operate only with effect from 07.01.2019 and was not in existence when the petitioner suffered permanent disability, that is, on 27.10.2017. During that period, the petitioner was covered by an insurance policy which covered only cases of personal accidents and air accidents.

5. The learned counsel for the petitioner submits that the petitioner had converted his account to a Military Salary Package Account in 2005 and, therefore, the benefit of the permanent/total disability cover of Rs.30 lacs was payable to him even in 2017. In support of his submission, he has drawn our attention to pages 27 to 31 of the petition (Annexure P-4)(Colly).

6. The respondents shall confirm the above position and file an affidavit on the above stated stand of the petitioner at least a week before the next date of hearing. The learned counsel for the respondents may also file their brief synopsis of their arguments



within the same period.

7. List on 12th February, 2025.

NAVIN CHAWLA, J

SHALINDER KAUR, J

NOVEMBER 4, 2024/rv/as

Click here to check corrigendum, if any