
(2004) 04 JH CK 0043

In the Jharkhand High Court

Case No : Writ Petition (C) No. 2270 of 2004

T. Kujur

APPELLANT

Vs

Union of India (UOI) and Others

RESPONDENT

Date of Decision : 28-04-2004

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2004) 3 JCR 226

Hon'ble Judges : Amareshwar Sahay, J

Bench : Single Bench

Advocate : Altaf Hussain and Afaque Ahmad, for the Appellant; P.K. Prasad, Sr. C.G.S.C., for the Respondent

Judgement

Amareshwar Sahay, J.—The learned counsel for the petitioner is directed to add the Commandant, 106 Bn. Border Security Force, Barrelly, Uttar Pradesh as party respondent No. 4 to this writ application.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

3. The prayer of the petitioner in this writ application is for direction to the respondents to grant and pay the lump sum compensation along with the interest and ex gratia amount to the petitioner in view of disability up to 65% caused to the petitioner due to Improvised Explosive Device Blast which took place on 8.8.1996 at Akhara Building, near Lal Chowk, Shrinagar, Jammu & Kashmir, where the petitioner was posted and was performing his duty.

4. In my view, the matter has to be enquired into and the claim of the petitioner is to be determined firstly by the competent authority. Accordingly, this application is being disposed of with a direction to the petitioner to file a detailed representation stating about his claim along with all supporting documents, if any, before the Commandant, 106 Bn. Border Security Force, Barrelly, Uttar Pradesh/ competent authority, within a period of four weeks. If such

representation is filed by the petitioner within the periods specified, the Commandant, 106 Bn., B.S.F. Bareilly/competent authority is directed to determine the claim of the petitioner, dispose of the representation filed by the petitioner by passing a reasoned order and it is found that the claim of the petitioner is genuine, the amount so determined by the petitioner shall be paid to him within a period of eight weeks from the date of determining such claim.