

Court No. - 21

Case :- WRIT - C No. - 48484 of 2010

Petitioner :- Sudha Devi

Respondent :- State of U.P. and Others

Counsel for Petitioner :- Shiv Kant Mishra, Pankaj Dubey

Counsel for Respondent :- C.S.C., Ramendra Pratap Singh

Hon'ble Manoj Kumar Gupta, J.

Hon'ble Donadi Ramesh, J.

1. The instant petition has been filed praying for a writ of mandamus directing the respondents to pay additional compensation as ex-gratia payment to the petitioner in lieu of acquisition of her agricultural land and 15% rehabilitation bonus.
2. The case of the petitioner is that the aforesaid benefits have been denied to her on the ground that she was Gair-Pushtaini Kashtakar. It is urged that the distinction drawn by the Authorities between 'Pustaini Kashtakar' and 'Gair-Pushtaini Kashtakar' has been held to be violative of Article 14 of the Constitution by the Supreme Court in ***Ramesh Chandra Sharma & others vs. State of U.P. and others***, Civil Appeal No. 8819 of 2022, decided on 20 February 2023.
3. Shri Ramedhra Pratap Singh, learned counsel appearing on behalf of the respondent-Authorities states that the claim of the petitioner will be examined in light of judgement of the Supreme Court.
4. Accordingly, the writ petition is **disposed of** with liberty to the petitioner to file fresh representation along with true attested copy of the instant order and copy of the judgement of the Supreme Court in ***Ramesh Chandra Sharma***, (supra) within two weeks from today and in which event, the same will be decided by respondent No. 3 by a speaking order within next eight weeks.

Order Date :- 8.11.2023

Mukesh Kr.

(Donadi Ramesh, J.) (Manoj Kumar Gupta, J.)