

Court No. - 40

Case :- WRIT - C No. - 38655 of 2023

Petitioner :- Smt. Vineeta

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Rajkumari Yadav

Counsel for Respondent :- C.S.C.

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Prashant Kumar,J.

1. Heard Sri Rajkumari Yadav, learned counsel for the petitioner and learned Standing Counsel for the State respondents.

2. The petitioner is aggrieved by rejection of her claim under the Mukhyamantri Kisan Evam Sarvhit Bima Yojana vide impugned order dated 27.4.2021 passed by the District Magistrate, Hamirpur on the ground that the petitioner's claim does not fall under Para 2 (1) (vi) of the Government order and as such, she was not eligible for the benefit under the Yojana.

3. Learned counsel for the petitioner submits that while passing the impugned order, the reliance has been placed upon the enquiry report dated 23.4.2023 as well as the order of the District Magistrate. He submits that neither the report dated 23.4.2022 nor the order dated 27.4.2021 had ever been served upon the petitioner. The claim of the petitioner is to be considered by the District Level Committee headed by the District Magistrate, Hamirpur. In this backdrop, he has placed reliance on the order of this Court dated 01.10.2021 passed in Writ C No.22186 of 2021 (**Prakash @ Ramprakash vs. State of UP and 4 others**) wherein the matter was relegated to the District Level Committee headed by the District Magistrate.

4. No useful purpose would be served in keeping the writ petition pending consideration.

5. Considering the facts and circumstances and without expressing any opinion on the merits of the case, the writ petition is disposed of finally, giving liberty to the petitioner to represent her cause to the District Level Committee whose Chairman is the District Magistrate of the district concerned and if the petitioner submits a representation in the office of the second respondent (District Magistrate, Hamirpur), the same shall be placed before the District Level Committee and a decision shall be taken on the claim of the petitioner, expeditiously, preferably within next eight weeks after giving opportunity of hearing to the Insurance Company.

Order Date :- 8.11.2023

RKP