

Court No. - 3

Case :- WRIT - C No. - 1327 of 2022

Petitioner :- Smt. Sunaina

Respondent :- State Of Up Thru. Prin. Secy. Revenue Lko.
And Ors

Counsel for Petitioner :- Rakesh Kumar Modanwal

Counsel for Respondent :- C.S.C.

Hon'ble Vivek Chaudhary,J.

Hon'ble Manish Kumar,J.

Heard learned counsel for the petitioner and learned Standing Counsel for the State.

The present writ petition has been preferred by the petitioner with the following relief:-

"i) issue a writ, order or direction in the nature of mandamus commanding the Respondent No. 3/4 to issue the Medical Certificate of Cause of Death due to Covid-19 upon the death of husband of the petitioner namely Ram Ji Umar Vaishya S/o Hanuman Umar Vaishya R/o village and Post Jamtali, Tehsil Raniganj, P.S. Raniganj, District Pratapgarh, pending under enquiry before respondent no. 3 in pursuant to the complaint dated 10.09.2021 (Annexure No. 6 to the writ petition) within the period so stipulated by this Hon'ble Court."

Petitioner claims that her husband expired due to COVID-19 and she is entitled for benefits under the G.O. dated 23.10.2021.

Learned counsel for petitioner submits that grievance of petitioner would be substantially met in case representation of petitioner for the said purposes is considered and decided in a time bound manner.

Learned Standing Counsel has no objection to the same.

In view thereof, petitioner is permitted to make a fresh detailed representation to respondent no.4-Covid-19, Death Ascertaining Committee, District Pratapgarh (CADC) through its Chairman i.e. Collector Pratapgarh, raising all her grievance, annexing therewith a copy of this writ petition along with annexures and all the documents in support of her claim within a period of two weeks from today along with a certified copy of this order.

In case such a representation is moved by petitioner, respondent no.4, shall consider and decide the same in accordance with law by a reasoned and speaking order within a period of three months from the date a certified copy of this order along with representation is placed before him.

It is made clear that this court has not applied itself on the merits of the case and all questions are left open to be considered and decided by the competent authority in accordance with law.

With the aforesaid directions, present writ petition is **disposed of**.

Order Date :- 1.11.2023

Nitesh