

Court No. - 20

Case :- WRIT - A No. - 5682 of 2023

Petitioner :- Smt. Shakuntala Devi

Respondent :- State Of U.P. Thru. Prin. Secy./ Addl. Chief Secy., Home, Lko. And 2 Others

Counsel for Petitioner :- Piyush Mishra, Kaushal Mani Tripathi

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur, J.

1. Heard learned counsel for petitioner and learned State Counsel appearing on behalf of opposite parties.

2. Rejoinder affidavit filed today in Court is taken on record.

3. On 07.08.2023, the following order had been passed:

"Heard learned counsel for petitioner and learned State Counsel for opposite parties.

Petition has been filed seeking a direction to opposite parties for payment of financial assistance to petitioner under U.P. Police Anukampa Nidhi Niyamawali. It has been submitted that petitioner's late husband Bhagwati Prasad Tiwari attained martyrdom in a gun fight with criminals in 2007 due to which petitioner is entitled for financial assistance under the aforesaid scheme.

Learned counsel has drawn attention to the letter dated 22nd September, 2022 issued by the Additional Superintendent of Police, District Kheri admitting the said facts.

Learned State Counsel on the basis of written instructions dated 3rd August, 2023 does not dispute the said fact regarding entitlement of petitioner under the said scheme but submits that relevant documents from petitioner are being sought regularly which however are not being provided by her due to which assistance could not be given. The documentation required as indicated in written instructions pertained to a copy of pan card, copy of bank pass book, adhar card, copy of pariwar register, election I.D. card, bank pass book of parents of deceased and in case of death of parents of deceased, their death certificate/ notary affidavit to that effect, certificate indicating previous payments made to the petitioner regarding financial assistance under the scheme and proforma for detail of E-payment.

Considering the trivial nature of dispute, petitioner is directed to produce the said documentation before the authority concerned within a period of one week from today. Upon receipt of the said documentation, the payment of admitted dues to petitioner under aforesaid scheme as indicated in the letter dated 22nd September, 2022 (annexure 6) shall be ensured within a period of two weeks thereafter.

List on 4th September, 2023 as fresh. "

4. In pursuance of another order dated 03.10.2023, rejoinder affidavit has been brought on record today annexing all the documents which learned counsel for petitioner submits are relevant for deciding the claim of petitioner.

5. In view of aforesaid, liberty is granted to petitioner who make a fresh representation annexing a copy of all the relevant documents as has been brought on record by means of rejoinder affidavit before opposite party no.3 i.e. Senior Superintendent of Police/ Super Indent of Police, Lakhimpur Kheri. In case such a representation is filed, the same shall be considered and decided within a period of eight weeks from the date of receipt. In case the concerned authority comes to a conclusion that certain other documents are also required from the petitioner in addition to documents already submitted, such requirements shall be communicated to the petitioner in order to enable her to fulfill the same.

6. Final order shall thereafter be passed by reasoned and speaking order granting opportunity of hearing to petitioner.

7. In case petitioner is found entitled for the aforesaid relief, payment of same shall be ensured within a period of next six weeks.

8. With the aforesaid observation, petition stands **disposed of**.

Order Date :- 21.11.2023

Subodh/-