

Court No. - 1

Case :- WRIT - C No. - 10368 of 2023

Petitioner :- Sheela Devi

Respondent :- State Of U.P. Thru. Commissioner And Secy. Board Of Ravanue Lko. And Others

Counsel for Petitioner :- Janendra Kumar Verma

Counsel for Respondent :- C.S.C.,Zafar Aziz

Hon'ble Attau Rahman Masoodi,J.

Hon'ble Om Prakash Shukla,J.

1. The petitioner herein is aggrieved by an order of rejection of her claim for grant of benefit of Mukhyamantri Kisan Evam Sarvahit Bima Yojana on account of death of his husband namely Banjara @ Kamlesh. The copy of the order of rejection is appended as Annexure-1 to the writ petition.

2. It appears that on the application moved by the petitioner, her claim was not recommended by the New India Assurance Company Ltd. namely respondent no. 4 herein. However, the final authority is Collector/District Level Committee which has been constituted by G.O. Dated 14.09.2016.

3. Learned Standing Counsel, however, submits that the writ petition suffers from laches for the reason that the decision of the Insurance Company is of the year 2019.

4. Be that as it may, under the G.O. dated 14.09.2016, it is the District Level Committee which is authorized to take decision in the matter of eligibility of the claim under Mukhyamantri Kisan Evam Sarvahit Bima Yojana. The respondent-Insurance Company is only a recommending body. It seems that the petitioner being illiterate did not approach the District Level Committee after rejection of the claim by the Insurance Company which was communicated to her by the letter appended as Annexure no.1, impugned in the writ petition. For the aforesaid, we do not find any good reason to dismiss the writ petition or say that the same suffers from laches. Liberty is granted to the petitioner to approach the District Level Committee to ventilate her claim under the Scheme in question by moving an application with the copy of this order within a period of two weeks from today. If such representation is made, the District Level Committee shall be under obligation to take an expeditious decision preferably within a period of four weeks from the date of receipt of such representation, strictly in accordance with law.

5. Writ petition is accordingly **disposed of**.

Order Date :- 29.11.2023

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