

Court No. - 1

Case :- WRIT - C No. - 10487 of 2023

Petitioner :- Ram Kumari

Respondent :- State Of U.P. Thru. Commissioner And Secy. Board Revenue Civil Secrt. Lko. And Others

Counsel for Petitioner :- Naresh Singh

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

Hon'ble Attau Rahman Masoodi,J.

Hon'ble Om Prakash Shukla,J.

1. Heard learned counsel for the petitioner, learned Standing Counsel for the State and Sri Zafar Aziz learned counsel who has put in appearance on behalf of the opposite party no. 4.

2. Learned counsel for the opposite party no. 4 has submitted that the matter as regards payment of compensation is pending before the District Magistrate, therefore, the present writ petition while pendency of the claim before the competent authority is not maintainable.

3. Without entering into the merit of the case, we hereby direct the District Magistrate to go into the claim of the petitioner as has been raised. It is made clear that the District Magistrate shall consider and decide the claim of the petitioner strictly as per the policy conditions. The limitation period as to the submission of the income certificate or production of the income certificate, if dispensed with, shall not be insisted upon. The competent authority is expected to consider and decide the claim within a period of three months from the date of production of a certified copy of the order.

4. The writ petition is accordingly disposed of.

Order Date :- 5.12.2023

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