

Court No. - 3

Case :- WRIT - C No. - 10822 of 2023

Petitioner :- Shobhawati

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

Counsel for Petitioner :- Janendra Kumar Verma,Deepak
Kumar Verma

Counsel for Respondent :- C.S.C.

Hon'ble Vivek Chaudhary,J.

Hon'ble Manish Kumar,J.

1. Heard learned Counsel for the petitioner, learned State Counsel and perused the record.
2. By means of this writ petition, a prayer has been made to quash the order dated 24.10.2019 passed by Insurance Company whereby the claim put forth by the petitioner under Mukhyamantri Kisan Evam Sarvhit Bima Yojana has been repudiated.
3. It has been informed by learned State Counsel as also learned Counsel representing the Insurance Company that in case, any claim under the aforesaid scheme is repudiated by the Insurance Company, the petitioner can avail remedy before the District Level Committee constituted under the Chairmanship of District Magistrate concerned.
4. Learned Counsel for the petitioner, however, states that petitioner has already submitted her claim before the District Level Committee and she has participated in some proceedings. However the aforesaid facts are not very clear from the averments and documents available in the writ petition.
5. In any case, the petitioner cannot be denied her right under the scheme and accordingly without making any observation on

merits of the claim of the petitioner, we dispose of this writ petition with liberty to the petitioner to approach the District Magistrate concerned by making an exhaustive representation/application/appeal to him for redressal of her grievance within a fortnight from today. In case, any such representation/application/appeal is preferred by the petitioner before the District Magistrate and if decision on such representation/application/appeal lies within the jurisdiction of the District Level Committee in terms of the scheme, the same shall be considered and decided expeditiously say within a period of three months from the date of production of a certified copy of this order.

6. We further direct that while taking decision under this order, the District Magistrate/District Level Committee shall give adequate opportunity of hearing to the Insurance Company namely Oriental Insurance Company Ltd. as well.

(Manish Kumar, J.) (Vivek Chaudhary, J.)

Order Date :- 13.12.2023

Virendra