

**NAFR****HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No. 1845 of 2019**

- Madan Prasad Soni S/o Late Rajkumar Soni Aged About 66 Years R/o In Front Of Police Station Samari, District Balrampur, Ramanujganj, Chhattisgarh Presently R/o Namnakala Ambikapur District Surguja Chhattisgarh

**---- Petitioner****Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Home Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh
2. Collectorate Balrampur District Balrampur Ramanujganj Chhattisgarh
3. Superintendent Of Police Balrampur, District Balrampur Ramanujganj Chhattisgarh
4. The Tahsildar Kushmi District Balrampur Ramanujganj, Chhattisgarh

**---- Respondent****WPC No. 1846 of 2019**

- Mannu Soni S/o Late Sharad Soni Aged About 21 Years R/o In Front Of Police Station Samari, District Balrampur Ramanujganj Chhattisgarh, Presently R/o Namnakala Ambikapur, District Surguja Chhattisgarh

**---- Petitioner****Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Home Mahanadi Bhawan, New Raipur District Raipur Chhattisgarh
2. Collector Balrampur District Balrampur- Ramanujganj Chhattisgarh

3. Suprintendent Of Police Balrampur, District Balrampur Ramanujganj Chhattisgarh
4. The Tahsildar Kushmi District Balrampur Ramanujganj Chhattisgarh

**---- Respondent**

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| For Petitioners      | Mr. AN Pandey, Advocate        |
| For Respondent/State | Mr. Anmol Sharma, Panel Lawyer |

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**Order On Board By**

**Hon'ble Mr. Justice Prashant Kumar Mishra**

**17/6/2019**

1. Heard.
2. The petitioners claim to be the persons adversely affected by naxalite menace. They claim entitlement to the benefit admissible to such persons under a Scheme floated by the State Government vide Circular dated 20.10.2004-Annexure P/2. However, their application for grant of such admissible benefit has not been considered by the concerned Collector.
3. Learned State Counsel would submit that the petitioners have moved an application before the concerned Collector, whereas, under the Circular relied by the petitioners, the application is required to be moved before the concerned Superintendent of Police, who shall examine the matter and refer it to the

concerned Collector along with his opinion.

4. In view of the Certificate issued by the Superintendent of Police, Balrampur in the petitioners' favour vide Annexure P/1 and considering clause 3 of the Circular dated 20.10.2004, the writ petition is disposed of with direction that in the event, the petitioners move an application for grant of benefit under the Circular dated 20.10.2004 before the concerned Superintendent of Police, the said authority shall process the application in accordance with the relevant provisions of the Scheme and send the same to the concerned Collector with his opinion. The Collector shall thereafter decide the petitioners' application in accordance with law.
5. Let the entire process be completed within a period of 3 months from the date of submission of the application before the concerned Superintendent of Police.
6. The writ petitions are disposed of. Sd/-

**(Prashant Kumar Mishra)**

Judge

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