

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10362 of 2020

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Kumari Vaishnavi D/o- Sri Umakant Dwivedi Resident of Maurya Vihar Colony, Transport Nagar, P.O.- Bahadurpur Housing Colony, P.S.- Agamkuan, District- Patna- 800026.

... .. Petitioner/s

Versus

1. Chief Secretary, Government of Bihar Main Secretariat, Patna, Bihar (800015).
2. Additional Chief Secretary Social Welfare Department, Government of Bihar, Main Secretariat, Patna, Bihar (800015).
3. Director Social Welfare Department, Government of Bihar, Main Secretariat, Patna, Bihar (800015).
4. Director Directorate of Empowerment of persons with disabilities, Department of Social Welfare, Government of Bihar, Main Secretariat, Patna, Bihar (800015).

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Vishal Kumar Singh, Advocate
		Mr. Deepak Kumar Singh, Advocate
For the Respondent/s	:	Mr. Dhurjati Kumar Prasad, G.P. 14

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 27-09-2021

Petitioner has prayed for the following relief(s):



VI. For issuance of an appropriate writ of Mandamus or any other appropriate writ(s) or order(s) or direction(s) commanding the Respondents to grant financial assistance to the persons with disability eligible under the Chief Minister's Cash Assistance Scheme for Marriage of Persons with Disabilities (Mukhyamantri Nishakt Vivah Protsahan Yojana,2016) keeping in view the numerous financial constraints that the people are facing because of the ongoing COVID-19 pandemic and subsequent lockdown.

VII. For issuance of an appropriate writ of Mandamus or any other appropriate writ(s) or order(s) or direction(s) commanding the Respondents to grant financial assistance to the eligible persons under the Chief Minister's Cash Assistanace Scheme for



Inter-Caste Marriage (Mukhyamantri
Antarjatiya Vivah Protsahan Yojana,2016).

VIII. For issuance of an appropriate writ of
Mandamus or any other appropriate writ(s)
or order(s) or direction(s) commanding the
Respondents to address and dispose the
applications of the Persons with Disabilities
under the Chief Minister's Cash Assistance
Scheme for Marriage of Persons with
Disabilities (Mukhyamantri Nishakt Vivah
Protsahan Yojana,2016) and Chief Minister's
Cash Assistanace Scheme for Inter-Caste
Marriage (Mukhyamantri Antarjatiya Vivah
Protsahan Yojana,2016) in a time bound
manner.

IX. For issuance of an appropriate writ of
Mandamus or any other appropriate writ(s)
or order(s) or direction(s) commanding the
Respondents to allow the beneficiaries
voluntarily use the money without holding it



and making it mandatory in fixed deposit for
lock in period of 3 years.

AND/OR

X. Pass any such order or direction which may
deem fit to this Hon'ble Court in best
interest of the Petitioner.

It has come on record through the affidavit filed by
Shri Nikhil Anand, Assistant Director, Social Security
Directorate, Patna that applications of 23 applicants were
processed. Eligible beneficiaries, residing in five districts,
namely Patna, Nalanda, Saran, Vaishali and Muzaffarpur, were
granted assistance under the various schemes launched by the
Government of Bihar, concerning the welfare of the persons
with disability, falling within the ambit and scope of the
provisions of the Rights of Persons with Disabilities Act, 2016.
The financial assistance is disbursed in terms of the Mukhya
Mantri Nihshakta Vivah Protsahan Yojna, 2016 as also under the
Mukhyamantri Antarjatiya Vivah Protsahan Yojna, 2016
formulated by the State.



We appreciate the efforts put in by the State, more so its functionaries, i.e. the Director, Social Security Directorate, Social Welfare Department, Government of Bihar, in processing the applications and disbursing the benefits under the Schemes (supra).

Shri Deepak Kumar Singh, learned counsel appearing for the petitioners, fairly states that though with the passage of time the petition may have become infructuous, but however, there is one issue which requires consideration by the State. He wants the lock-in period of three years for entitlement under the scheme to be reduced.

Well, this is a policy decision and at this point in time, more so when we do not find any cogent material on record, rendering the scheme to be manifestly arbitrary or irrational, we are not inclined to address the issue any further save and except, as prayed for, grant liberty to the petitioners to approach the appropriate authorities for reducing the lock-in period as also for other benefits as may be pointed out by the petitioners.

With this observation and liberty, this petition is disposed of.

We appreciate the assistance rendered by Shri



Deepak Kumar Singh in highlighting the issue and assisting the Court.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-

AFR/NAFR	
CAV DATE	
Uploading Date	05.10.2021
Transmission Date	

