



2026:AHC:169717-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 30677 of 2026

Geeta Devi

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Rahul Kumar
Counsel for Respondent(s)	:	C.S.C.

Court No. - 1

HON'BLE AJIT KUMAR, J.
HON'BLE GARIMA PRASHAD, J.

1. Heard learned counsel for the petitioner and learned Standing Counsel for the State.
2. By means of present writ petition filed under Article 226 of the Constitution, petitioner has prayed for following relief;

I-Issue a Writ, order or direction in the nature certiorari quashing the order dated order dated 31/03/2026 (Annexure No.1) Passed by the Respondent No-2 (District Magistrate Prayagraj). So that Justice may be done with the Petitioner.

II- Issue a Writ, order or direction in the nature of mandamus commanding the respondent no.2 to grant 5 Lac rupees to the Petitioner under the scheme of "Mukhya of Mantri Krishak Durghatna Kalayan Yojna" in Government Order dated the light 28.02.2020.

3. The petitioner's claim for financial assistance under the Mukhya Mantri Krishak Durghatna Kalyan Yojna (hereinafter referred to as the "Scheme"), arising from the accidental death of her husband, Kailash, has

been rejected by the impugned order dated 31.03.2026 on the ground that the deceased was not an agriculturist.

4. Briefly stated, the husband of the petitioner died in a road accident on 23.11.2025. The petitioner thereafter submitted a claim under the Scheme in the prescribed proforma along with the requisite documents within the period prescribed under the Scheme.

5. Learned counsel for the petitioner submits that the Area Lekhpal submitted an incorrect report stating that the deceased was not an agriculturist and was working as a labourer. It is alleged that the said report was submitted since the petitioner did not accede to an illegal demand made by the Lekhpal.

6. It is submitted that sufficient material was placed before the authority to show that the deceased was engaged in agricultural activities on the land belonging to his father. It is stated that the Plot No. 198M, area 0.0230 hectare, situated at Village Alawarpur, Tehsil Handia, District Prayagraj, is recorded in the name of the deceased's father, Nand Lal son of Late Moti Lal.

7. The father of the deceased had also furnished an affidavit stating that his son was engaged in agricultural work and used to look after his bhumidhari land situated at Alawarpur. He further stated that, on account of his illness, he was unable to undertake agricultural work himself and that he had no objection to the benefit under the Scheme being granted to the petitioner. The said affidavit has been placed on record.

8. Learned counsel for the petitioner has placed reliance upon the Government Order dated 28.02.2020 and submits that the definition of "farmer" under the Scheme is not confined to a person in whose own name agricultural land is recorded, but also extends to persons whose principal livelihood is derived from agricultural work carried out on land

belonging to their family or on land taken on lease.

9. It is further submitted that the accidental death of the petitioner's husband is not in dispute. An FIR dated 24.11.2025 was registered in relation to the accident. The postmortem report and other documents relating to the death were also submitted before the authorities.

10. *Per contra*, learned Standing Counsel submits that the Lekhpal, upon inquiry, reported that the deceased did not own any land in his name and was not engaged in agricultural activities. The competent authority considered the said report and rejected the claim by a reasoned order.

11. We have considered the submissions advanced by learned counsel for the parties and perused the record. The principal issue is whether the petitioner's claim could have been rejected merely because the agricultural land on which the deceased is stated to have been working was recorded in the name of his father and not in the name of the deceased himself.

12. The issue is no longer res integra. In ***Rajesh Kumar vs. State of U.P., Writ-C No. 1006 of 2024***, decided on 16.03.2026, this Court considered a similar question and held that a claim under the Scheme cannot be rejected merely because the agricultural land is recorded in the name of an elder member of the family. While relying upon ***Gayatri Devi v. State of U.P. and Others, 2025 SCC OnLine All 8086***, the Court observed as under:

“17. From a perusal of the Government Order dated 28.02.2020, it is evident that the object of the ‘Mukhyamantri Krishak Durghatna Kalyan Yojana’ is to provide financial assistance to the dependents of farmers who die in accidents. The scheme does not make it mandatory that the agricultural land must be recorded in the name of the deceased farmer alone. What is required to be examined is whether the deceased was primarily engaged in agricultural work

and whether agriculture was the main source of livelihood for him and his family. In rural set-ups, it is a common practice that land continues to remain recorded in the name of the elder family member, while other members of the family carry on agricultural activities jointly....”

21. Applying the principle laid down by the Hon’ble Supreme Court that beneficial and welfare schemes must receive a liberal and purposive interpretation so as to advance their object and not defeat it on technical grounds, the petitioner’s claim could not have been rejected in casual manner because from a bare perusal of the guidelines, it is evident that the scheme is intended to protect persons and families who are engaged in farming activities and have agriculture as their main source of livelihood. ...”

13. The principle laid down in the aforesaid judgment squarely applies to the present case. The mere fact that the agricultural land was recorded in the name of the deceased’s father could not, by itself, constitute a ground to hold that the deceased was not a farmer within the meaning of the Scheme. What was required to be examined was whether the deceased was actually engaged in agricultural activities and whether he satisfied the requirements of the Scheme.

14. In the present case, the petitioner had placed material before the authority to show that the deceased was engaged in agricultural activities on the land recorded in the name of his father, Nand Lal. The affidavit of Nand Lal was also relevant to this issue. The impugned order does not adequately consider this material and proceeds substantially on the Lekhpal’s report. The claim, therefore, required consideration in the light of the definition contained in the Scheme and the law laid down by this Court in *Rajesh Kumar* (supra) and *Gayatri Devi* (supra).

15. Accordingly, the writ petition is allowed. The impugned order dated 31.03.2026 passed by the District Magistrate, Prayagraj, is hereby quashed. The matter is remitted to the District Magistrate, Prayagraj, to reconsider the petitioner’s claim afresh in accordance with the Scheme

and in the light of the observations made above. The exercise shall be completed expeditiously, preferably within a period of two months from the date of production of a certified copy of this order.

(Garima Prashad,J.) (Ajit Kumar,J.)

August 12, 2026
Sachin Mishra