



2026:AHC:60138-DB

Reserved on 16.03.2026

Delivered on 24.03.2026

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 1006 of 2026

Rajesh Kumar

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

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

Court No. - 1

HON'BLE AJIT KUMAR, J.

HON'BLE SWARUPAMA CHATURVEDI, J.

(Per Swarupama Chaturvedi,J.)

1. Heard Mr. Praveen Kumar Singh learned counsel for the petitioner and learned Additional Chief Standing Counsel for the State respondents.

2. By means of this petition under Article 226 of the Constitution of India, petitioner challenges common order dated 22.04.2022 passed by District Magistrate, Prayagraj, whereby claims relating to many deceased persons under '*Mukhyamantri Krishak Durghatana Kalyan Yojana*' were decided, however, the petitioner was aggrieved only to the extent that his claim arising out of death of wife, Smt. Manisha Devi, had been rejected. The rejection was based on report of the office of District Magistrate (Land Records Establishment), Prayagraj, which stated that the deceased was neither dependent upon agricultural income nor found engaged in any agricultural activity of her family or on any other agricultural land.

3. The brief facts were that the petitioner's wife, Smt. Manisha Devi, while returning from her relative's place, met with a fatal accident on 25.08.2020 at about 8:20 a.m., she was hit by a train while crossing a road and railway track at village Amiliya Kala, which resulted in her death on the spot. Her body was subjected to post-mortem on the same day i.e. 25.08.2020, conducted by Dr. Rajesh Kumar, Medical Officer, at Swaroop Rani Hospital,

Prayagraj. Thereafter the petitioner submitted an application on 20.10.2020 before the Sub Divisional Magistrate, Meja, Prayagraj in the prescribed format under the '*Mukhyamantri Krishak Durghatana Kalyan Yojana*' seeking compensation.

4. Learned counsel for the petitioner submitted that an enquiry report had been submitted by the Lekhpal, which had been prepared without proper enquiry or spot inspection. He argued that the claim of the petitioner was rejected in most casual manner because the report dated 03.08.2021 was submitted before the District Magistrate, Prayagraj, stating that the deceased and her husband were not agriculturist or tenure holders, hence, the petitioner was not entitled to compensation. The report did not give any basis to arrive at the conclusion that the petitioner and the deceased were not dependent upon agricultural income.

5. Learned counsel for petitioner contended that the land was recorded in the name of petitioner's father, namely Lorik son of Jokhan, who was the recorded tenure holder of Gata No. 403 area 0.2230 and Gata No. 00032 situated at village Nevadhiya (Khairagarh), Tehsil Meja, District Prayagraj. The petitioner and his wife were full time engaged in agricultural work on the said land. It was further stated that the father of the petitioner was very old and physically paralyzed and was unable to perform agricultural activities. Therefore, the petitioner and his wife were the actual persons cultivating the land and maintaining the family. He relied upon the entry in family register, where the petitioner's occupation was clearly stated as farming and the name of the deceased as petitioner's legally wedded wife was also recorded showing the sign indicating the same occupation as her husband. It was further stated that the petitioner belonged to a poor family, living below the poverty line, and agriculture was the main source of livelihood for his family.

6. It was also argued that the petitioner was never informed about the rejection of his claim dated 22.04.2022, so he filed an application under the Right to Information Act on 21.06.2025, and thereafter received information on 30.09.2025 regarding rejection of his claim. Learned counsel for the petitioner submitted that the rejection of the claim was arbitrary and contrary to the Government Order dated 28.02.2020 issued under the '*Mukhyamantri*

Krishak Durghatana Kalyan Yojana'. It was submitted that the definition of "farmer" under paragraph 2(2) and paragraph (5) of the said Government Order is wide and includes not only the tenure holder but also earning members of the family whose main source of livelihood is agriculture from the land recorded in the name of the tenure holder.

7. Relevant paragraphs of the Government Order dated 28.02.2020 for determination of the guidelines for providing benefits under the scheme of '*Mukhyamantri Krishak Durghatna Kalyan Yojana*' are reproduced below for easy reference:

"2. Eligibility (Definition of Farmer): This scheme is for farmers residing in Uttar Pradesh who suffer accidental death or disability. A farmer is defined as follows:

(1)...

(2) Earning members of the account holder/co-account holder's family whose primary source of livelihood is agricultural income from the land registered in the name of the account holder/co-account holder.

...

5. Coverage of the Scheme: (1) If a farmer suffers accidental death/disability due to fire, flood, lightning, electric shock, snakebite, attack/injury by animals/creatures, drowning in the sea, river, lake, pond, or well, storm, falling from or being crushed by a tree, house collapse, accident involving train/road/aircraft/other vehicles, landslide, earthquake, gas leak, explosion, falling into a sewer chamber, or any other cause, then financial assistance will be provided to the farmer/legal heir(s) under this scheme."

8. It was further submitted that the petitioner and his deceased wife were the bread earners of the family and were wholly dependent upon agricultural activities carried out on the ancestral land. The mere fact that the land was recorded in the name of the father of the petitioner, could not disentitle the petitioner from the benefit of the scheme. Learned counsel has further submitted that the State authorities had misinterpreted the scheme and had illegally restricted its benefit only to recorded tenure holders and rejected the claim of the petitioner.

9. Reliance was placed on the scheme, which clearly indicated that persons

dependent on agricultural work without having the land on their name as tenure holders were also covered, if the land is recorded in name of the elder member of the family. To buttress his arguments, the counsel for the petitioner relied upon the judgement of this Court in ***Gayatri Devi v. State of U.P. and Others, 2025 SCC OnLine All 8086***. Relevant paragraphs of the above-mentioned judgement is as follows:

"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. In the facts of the present case, the land stands recorded in the name of the deceased's grandfather in the Khatauni, and there is no material on record to show that the deceased, his father, or his wife had any other source of income. The family was dependent upon farming for its survival, particularly in view of the submission made by the petitioner in the rejoinder that the same land was mortgaged with the Bank of India by the deceased at the time of purchasing a tractor in the year 2011. This fact ought to have been properly examined by the authorities instead of rejecting the petitioner's claim in a casual manner."

10. On the other side, learned Counsel appearing for State respondents

argued on the basis of the report submitted by authorities that the petitioner and the deceased were not dependent upon agricultural income, therefore, authorities were justified in rejecting the claim of the petitioner under the scheme. It was further submitted that the competent authority had considered the material on record and had rightly rejected the claim of the petitioner. The decision did not suffer from any illegality and did not required interference by this Court.

11. The main issue that arises for consideration is whether the rejection of the petitioner's claim for compensation under the '*Mukhyamantri Krishak Durghatana Kalyan Yojana*', on the basis that the deceased was neither engaged in agricultural activities nor dependent on agricultural income, is legally sustainable in light of the Government Order governing the scheme and the facts placed on record.

12. This Court has considered the rival submissions and examined the record. The scheme in question, namely '*Mukhyamantri Krishak Durghatana Kalyan Yojana*', is a beneficial welfare scheme intended to provide financial assistance to families dependent on agriculture in case of accidental death. Such schemes are to be interpreted liberally and not in a restrictive manner.

13. From the Government Order dated 28.02.2020, it is clear that the definition of "farmer" is not confined to recorded tenure holders alone and it is worded in a way that it can cover everyone depending upon the agricultural income. It specifically includes earning members of the family whose main source of livelihood is agricultural income from land recorded in the name of the tenure holder and the report of lekhpal as well as impugned order nowhere state that the petitioner or the deceased has any other source of income except the agricultural work, which is clearly recorded as their occupation in the family register.

14. In the present case, it is not disputed that the land is recorded in the name of the petitioner's father. It was also not disputed that the father of the petitioner was very old. The consistent stand of the petitioner is that he and his deceased wife were engaged in agricultural work on the said land and were maintaining the family. The rejection of the claim solely on the basis of the statement without any evidence that the petitioner and the deceased were not dependent upon agricultural income cannot be sustained in law.

15. We are of considered view that the authorities have failed to consider the actual dependency on agriculture and the factual position of the family. Further, the allegation that the enquiry was conducted without proper inspection has not been effectively rebutted. Hence, we are of the view that the issue involved is squarely covered by the judgment rendered in the case of ***Gayatri Devi (supra)***.

16. This Court in ***Kishori Lal v. State of U.P. and Others, 2026 SCC OnLine All 546***, has supported its view by the judgement of the Supreme Court dated 10.02.2026 in the case of ***Mahendra Prasad Agarwal v. Arvind Kumar Singh being SLP (C) No. 1714 of 2025*** where it was observed by the Supreme Court as under:

"13. Facts that we have recounted till now reveal a sad reflection, not our laws, but the way we practice our laws and work our judicial remedies. We are not be mistaken as sermonising, for such episodic disposal could feature even in the practice of Supreme Court. Our endeavour is to ensure that we take notice of it and adopt course correction.

14. There is no doubt about the fact that the "consider jurisprudence", so routinely adopted these days and if we may use the expression - to throw the ball out of the Court, is counterproductive and harms the system.

15. When a claim of a right is legal and justified, relief must follow. The Constitutional or statutory remedies are not intended for academic discourse. If a case deserves relief, it must be granted then and there, unflinchingly if need be. Balancing of equities is not to be confused with avoiding or postponing the relief. These are not matters of law, but of its working and practice. Unlike law and its procedures, good practices that evolve over a period of time are far more precious than written laws, as it is in this practice that we see acceptance and internalization of the spirit of law. It is necessary to recognize, nurture and develop good practices which become habits. These habits come from the shared belief, values and attitudes that breathe vitality into rule of law. Legal culture integrates collective beliefs, fostering habits. It is necessary and in fact compelling to keep our remedies simple, effective and efficient."

17. In view of above, writ petition is **allowed**. The District Magistrate, Prayagraj is directed to provide benefit of scheme to the petitioner for

untimely death of the deceased wife of the petitioner. The District Magistrate, shall pass the order within a period of six weeks from the date of presentation of certified copy of this order. No order as to costs.

(Swarupama Chaturvedi,J.) (Ajit Kumar,J.)

March 24, 2026

#Vikram/-