



2026:AHC:57855-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 7028 of 2026

Mala Devi

.....Petitioner(s)

Versus

State of U.P. and 2 others

.....Respondent(s)

Counsel for Petitioner(s) : Ajeet Kumar Srivastav, Amit Kumar
Srivastava, Kamal Kumar Singh
Counsel for Respondent(s) : C.S.C.

And

WRIT - C No. - 7052 of 2026

Gayatri Devi

.....Petitioner(s)

Versus

State of U.P. and 2 others

.....Respondent(s)

Counsel for Petitioner(s) : Ajeet Kumar Srivastav, Amit
Kumar Srivastava, Kamal Kumar
Singh
Counsel for Respondent(s) : C.S.C.

And

WRIT - C No. - 7029 of 2026

Saraswati Devi

.....Petitioner(s)

Versus

State of U.P. and another

.....Respondent(s)

Counsel for Petitioner(s) : Anil Kumar Yadav, Prem Prakash
Yadav
Counsel for Respondent(s) : C.S.C.

And

WRIT - C No. - 7050 of 2026

Shiv Kumari

.....Petitioner(s)

Versus

State of U.P. and 2 others

.....Respondent(s)

Counsel for Petitioner(s) : Ajeet Kumar Srivastav, Amit Kumar
Srivastava, Kamal Kumar Singh

Counsel for Respondent(s) : C.S.C.

Court No. - 2

A.F.R.

**HON'BLE ATUL SREEDHARAN, J.
HON'BLE SIDDHARTH NANDAN, J.**

(Per: Hon. Siddharth Nandan,J.)

1. Heard Shri Ajeet Kumar Srivastav, Shri Amit Kumar Srivastava, Shri Kamal Kumar Singh, Shri Anil Kumar Yadav, Shri Prem Prakash Yadav learned counsel appearing on behalf of the parties. Sri Ansul Nigam, learned Standing Counsel for the State-respondents.

2. The present set of writ petitions have been filed challenging the orders by way of which the District Level Committee has rejected the claim of the petitioners, seeking the benefit of **Mukhyamantri Krishak Durghatana Kalyan Yojana**; and reasons assigned for the rejection of claim of all the petitioners are as follows:-

Sl. No.	Case No.	Impugned Orders	Name / Details of Deceased	Reasons for rejection

1	Civil Misc. Writ Petition No.7028 of 2026 Mala Devi vs. State of U.P. and others	11.11.2025	स्थ० रामसागर पुत्र सुन्दर प्रसाद साकिन परसाखुर्द बुजुर्ग द०ज० तप्पा आदमपुर तहसील भानपुर जनपद बस्ती - 23.10.2023, 27.10.2025	तहसील की आख्या से कालबाधित मृत्यु दिनांक 23.10.2024 दावा प्राप्त दिनांक 25.03.2025। प्रस्तर 10 से अनाच्छादित है।
2.	Civil Misc. Writ Petition No.7052 of 2026 Gayatri Devi Vs. State of U.P. and others	10.09.2025	रामनयन पुत्र रामकरन साकिन ककरहिया तप्पा सिकन्दरपुर परगना बस्ती पूरब तहसील भानपुर जनपद बस्ती	मृत्यु दिनांक 08. 08.2023 दावा प्राप्त दिनांक 17.05.2025 आनलाइन दिनांक 19.06.25
3	Civil Misc. Writ Petition No.7029 of 2026 Smt. Saraswati Devi Vs. State of U.P. and another	15.3.2021	लवकुश पुत्र शारदा प्रसाद मृत्यु: 29.09.2019 आवेदन: 03.10.2020	आवेदन पत्र माथिनी सरस्वती देवी पत्नी शारदाप्रसाद निवासी केवटाही द्वारा दिनांक 03.10.2020 को आवेदन पत्र प्रस्तुत किया गया है जो मृत्यु के दिनांक से 375 दिनों के बाद प्रस्तुत हुआ है । जो निर्धारित समयसीमा के बाद / उपरान्त का है ।
4.	Civil Misc. Writ Petition No.7050 of 2026 Shiv kumari Vs. State of U.P. and another	11.11.2025	स्व० सन्तराम पुत्र जगेसर साकिन विशुनपुर तप्पा सिकन्दरपुर तहसील भानपुर जनपद बस्ती।	तहसील की आख्या से कालबाधित मृत्यु दिनांक 30.06.2024 दावा प्राप्त दिनांक 20.03.2025। प्रस्तर 10 से अनाच्छादित है।

3. Counsel for the petitioner has attracted our attention to the Scheme, wherein under Clause-10 it has been provided, that the claim has to be registered within a period of 45 days before the concerned Tehsil Office; and the authority shall have a leverage to extent the period by another one month but in "any case" the period may not be extended beyond a period of 75 days.

4. A coordinate Bench of this Court in the case of **Gautam Yadav Vs. State of U.P. and 3 others**¹ has held that the period of limitation provided under the said scheme is unreasonable and arbitrary; and after discussing the provision of Limitation Act, 1963, had held that the period should be three years instead of 75 days.

5. Learned Standing Counsel has relied upon an interim order granted by the Apex Court in **National Insurance Com. Ltd. Vs. Gautam Yadav and others**² to say that, the direction for all claims filed within a period of three years from the date of rejection should be treated as within limitation, has been stayed. For ready reference the said interim order is quoted herein below:-

"In compliance of this Court's order dated 02.07.2021, the petitioner has paid the sum of Rs. 5 lakhs to the respondent no.1 and has filed proof of making such payment.

Issue notice, returnable in six weeks.

Though notice is being sent to respondent no.1, he need not to appear, as the payment has already been made to him.

In the meanwhile, the direction in the impugned order, that all claims filed within a period of three years from the date of rejection should be treated as within limitation, shall remain stayed.?"

6. Learned counsel for the petitioner has relied upon decisions of a coordinate Bench of this Court in **Smt. Maya Devi Vs. The State of U.P. and 2 others**³ and **Usha Devi Vs. State of U.P. and 2 others**⁴, to contend that the interim order of the Apex Court has been construed to stay the direction with regard to extension of limitation period of three years; but however it will have to be examined on the facts and the circumstances of each case, whether there was "sufficient cause" for the delay shown, in filing of the said claim.

7. Two things emerge from the aforesaid contentions, that:-

(1) firstly, as to what shall be the period of limitation for filing of a claim under the aforesaid scheme; and

1 2020(11) ADJ 321

2 SPECIAL LEAVE TO APPEAL NO. 7647 OF 2021

3 WRIT-C NO. 39605 OF 2023

4 WRIT C NO. 7300 OF 2026

(2) in case the claim has not been filed within a period of limitation, then whether claimant is entitled to give an explanation and hence, its consideration for the purposes of condonation of delay.

8. The concept of condonation of delay is distinct from enhancing the period of limitation-condoning delay does not extend the period of limitation but assess, as to whether the delay caused was beyond the control of the applicant; and this takes us to an issue, as to whether the applicant is entitled to give an explanation, for condonation of delay, to be considered under the Scheme, in question.

9. **Doctrine of Reasonableness** (Wednesbury Principle of Unreasonableness) i.e. reasonableness of restrictions must be determined from the standpoint of General Public Interest, was under consideration in **U.O.I. & another Vs. Int. Trading Co. & another**⁵; and it was held that, if there is a overwhelming Public Interest, the doctrine of legitimate expectation (which has to be founded on sanction of law) and promissory estoppel, loses significance; as public interest, has to prevail over private interest. For legal purpose, expectation is not more than an anticipation.

10. The course, which is suggested in such circumstances, is to evaluate the action of the State, with the basic requirement of fairness, which is also a tenet of Article 14 of the Constitution of India; and non-arbitrariness in essence and substance, is the heartbeat of fair play.

11. In the facts of the present case, though the Scheme being a beneficial scheme, to help tide over the sudden loss of a breadwinner; but at the same time, it has a perception that the claim shall not be entertained beyond a time period of 75 days. What we have to examine here is as to whether a discernible principle emerges from the said scheme, which brings the impugned action of the State, within the periphery of the Wednesbury's principle of reasonableness.

12. The object of the Scheme , is undoubtedly for the redressal to the bereaved family and to tide over the difficult period; and the discernible

5 (2003) 5 SCC 437

principle or the fundamental rule/guideline, or the underlying rationales, which elucidates from the Scheme, is towards a greater public interest i.e. to give the benefits of the Scheme to poor farmers, who are mostly illiterate and are totally relying on the Agriculture. This Scheme is also in discharge of a constitutional mandate, to enforce Directive Principles of State Policy.

13. If the aforesaid position is undeniable then can it be a discernible principle, to deny the benefit to a claimant, who otherwise is an eligible person, on hyper-technicalities and that too, without giving him an opportunity to explain the cause of delay, which could be beyond his control or even solely attributable to a Government Agency itself, which is an administrative action.

14. An administrative action is just or not, would depend largely on the nature of a Scheme. An action or restrictions, which may be justifiable, towards the object and purpose of a particular Scheme, may not be justifiable in context of another Scheme for eg. a limitation of 5 yrs, in case of a Government Servant's death and provision for compassionate appointment, may be justified in balancing the public interest; but fixing an outer limit of 75 days only, that too in case of death of a farmers, whose family is illiterate and possibly at times, may not be aware towards their rights, may be unreasonable; and chances of deprivation of the benefit of the Scheme, is much higher. **(Saghir Ahmed Vs. State of U.P. & other (SJ)⁶**

15. In the case of **State of Madras Vs. V.G.Raw⁷**, the Apex Court held that no abstract standard or general pattern of reasonableness can be laid down, as applicable to all cases. *“The nature of rights alleged to have been infringed, the underlying purpose of the restrictions imposed, the extent and urgency of the evil sought to be remedied thereby, the disproportion of the imposition, the prevailing conditions at the time, should all enter into the judicial verdict”* The aforesaid ratio was cited

6 (1954) 2 SCC 399

7 (1952) 1 SCC 410

with affirmation in the case of **Mineral Development Ltd. Vs. State of Bihar and another**⁸ .

16. As far as the first issue is concerned, we agree with the learned Standing Counsel that the period of limitation which was said to be three years by a coordinate Bench of this Court, is under consideration in **National Insurance Company Ltd. (Supra)**; but however as far as the issue, whether the delay can be condoned or not is concerned; Principles of natural justice i.e. “Audi Alteram Partem Rule”, demands that no person shall be prejudiced without being heard, will be attracted, in the circumstances.

17. Learned counsel for the petitioner has submitted that there may be various instances in which a delay may have been caused due to the in action of the State machinery; and while relying upon the Scheme itself, he has submitted that in Clause-9 various documents are essential prior to filing of the claim. For ready reference Clause-9 is quoted below:-

“9- कृषक/विधिक वारिस / वारिसों को योजना के अन्तर्गत सहायता प्राप्त करने हेतु आवेदन पत्र के साथ यथा वांछित निम्न साक्ष्य प्रस्तुत करने होंगे:-

- (1) (अ) खतौनी की प्रमाणित प्रति।
अथवा
(ब) रजिस्टर्ड निजी पट्टेदार हेतु प्रस्तर-३ (क) के अनुसार पट्टे की प्रमाणित प्रति।
अथवा
(स) बटाईदार हेतु प्रस्तर- 3(ख) के अनुसार कोई एक प्रमाण पत्र।

(2) आयु प्रमाण-पत्र

आयु प्रमाण-पत्र हेतु निम्न में से कोई एक साक्ष्य के रूप में प्रस्तुत करना होगा:-

- (अ) हाईस्कूल प्रमाण-पत्र
- (ब) परिवार रजिस्टर की प्रति
- (स) वोटर आई०डी० कार्ड
- (द) पासपोर्ट
- (य) ड्राईविंग लाइसेन्स
- (२) आधार कार्ड
- (ल) पैन कार्ड

(3) निवास प्रमाण-पत्र

उ०प्र० के निवासियों हेतु निवास प्रमाण-पत्र निम्न में से कोई एक साक्ष्य प्रस्तुत करना होगा:

- (अ) पासपोर्ट

- (ब) ड्राइविंग लाइसेंस
 (स) राशन कार्ड
 (द) वोटर आई०डी० कार्ड
 (य) आधार कार्ड
 (२) उप जिलाधिकारी कार्यालय द्वारा जारी निवास प्रमाण-पत्र
 (4) पोस्ट मार्टम रिपोर्ट अथवा जहाँ पर पोस्ट मार्टम सम्भव नहीं है, वहाँ पर पंचनामा
 (5) मृत्यु प्रमाण-पत्र
 (6) दिव्यांगता की स्थिति में मुख्य चिकित्साधिकारी द्वारा जारी प्रमाण-पत्र
 (7) उत्तराधिकार प्रमाण-पत्र (केवल विवादित उत्तराधिकार की दशा में)
 (8) बैंक पासबुक की छायाप्रति
 (कृषक/विधिक वारिस / वारिसों द्वारा आवेदन पत्र में धनराशि प्राप्त करने वाले का बैंक का नाम, बैंक शाखा का नाम, खाता नम्बर एवं IFSC नम्बर भी उपलब्ध कराया जायेगा। इसी खाते में सहायता राशि का ऑनलाईन भुगतान किया जायेगा)
 (9) मोबाईल नम्बर
 (10) आधार नम्बर"

18. He has further submitted that there can be a delay, in issuance of records of rights, seeking an affidavit from the landlord who has permitted "shared cropping" over his land and similarly delay in procurement of various documents as stated in Clause-9 i.e. proof of age, residence, postmortem report, death certificate, disability certificate, succession certificate, certified copies of the passbook etc.

19. In the case of **V. Nagarajan Vs SKS Ispat & Power Ltd.**⁹ the Apex Court dealt with the necessity for explanation for the delay caused and in reference to Section 12 of the Limitation Act, which provides guidance on reckoning the period of limitation, the time taken by the party for obtaining a certified copy of the order, which he seeks to establish his claim has to be excluded, i.e. a person wishing to file an appeal is expected to file an application for a certified copy before the expiry of the limitation period, upon which 'time requisite' for obtaining a copy is to be excluded.

20. In a similar fashion once certain documents are required to be filed, for taking benefit of the Scheme and a time limit is prescribed for filing

9 (2022) 2 SCC 244

its claim, the period utilized post application for obtaining the said documents, can be a reasonable explanation for explaining the delay and consequently excluding the said time period, for assessing the maintainability of the claim.

21. It may be relevant to mention here that there is no remedy available under the scheme, in case of the rejection of the claim and also there is no postulation that delay can be condoned; and the nature of the Scheme being a beneficial scheme, is required to be interpreted harmoniously to the object which it seeks to achieve and the candidature of beneficiaries for whom the scheme has been made.

22. In exercise of power under Article 226 of the Constitution of India it is within the domain of a judicial review and this Court is to examine the underlying fundamental principles and general issues of public policy and in a given case, whether the claimant can approach the High Court or not. It is true that the High Court in exercise of its power under Article 226 of the Constitution of India cannot issue a writ, which may be inconsistent with the legislative intent. That would render the legislative scheme and intention behind the same, otiose. **(Reference: CCT Vs. Glaxo Smith Kline Consumer Health Care Ltd.¹⁰)**

23. In the case of **GSC (Supra)** the Apex Court dealing with the powers of judicial review of the High Courts, under Article 226 of the Constitution of India held that the same cannot be exercised in disregard to the substantive provisions of a Statute and pass orders which can be settled only through a mechanism prescribed by the Statute.

24. However, it is not disputed that the Scheme does not envisage an appellate or adjudicating authority, against the rejection of the claims; and therefore, a claimant cannot be left remedy-less; and accordingly merits consideration, adhering to the Principles of Natural Justice,

¹⁰ 2020 (19) SCC 681

subject only to the underlying fundamental Principles and general issues of Public Policy.

25. The power to condone delay is highly circumscribed and conditional upon showing sufficient cause; and when time lines are placed on legal proceedings, which does violence to the objective of the special Scheme, the same has to be interpreted , for its applicability, in such a way, it sustained the scheme and not destroy it, all together. One can understand when the time line is critical for working of the Scheme, when it can be said that it mandates diligence by the claimant; but when the very nature of the Scheme is to provide economical assistance to weaker section of the society, who most often are illiterate or wary of their rights, then it is part of their fundamental right, to be given an opportunity to explain the delay and seek its condonation. To that extent, the said opportunity, can be read in by necessary implications.

26. In a recent judgment in the case of **Shivamma (dead) Lrs Vs. Karnataka Housing Boards and others**¹¹ the Apex Court had the occasion to crystalise the law of limitation and Section 5 of the Limitation Act for condonation of delay. For ready reference para 58 to 61 is reproduced herein below:-

“58. The law of limitation is founded on public policy. The object of limitation is to put a quietus on stale and dead disputes. A person ought not to be allowed to agitate his claim after a long delay.

*59. Rules of limitation are not meant to destroy the rights of parties. They are meant to see that parties do not resort to dilatory tactics, but seek their remedy promptly. The object of providing a legal remedy is to repair the damage caused by reason of legal injury. The law of limitation fixes a lifespan for such legal remedy for the redress of the legal injury so suffered. Time is precious and wasted time would never revisit. During the efflux of time, newer causes would sprout up necessitating newer persons to seek legal remedy by approaching the courts. So a lifespan must be fixed for each remedy. Unending period for launching the remedy may lead to unending uncertainty and consequential anarchy. The idea is that every legal remedy must be kept alive for a legislatively fixed period of time. The law of limitation is thus founded on public policy. [See: **N. Balakrishnan v. M. Krishnamurthy, (1998) 7 SCC 123**]*

60. The bedrock of law on limitation flows from two age-old Latin maxims; interest reipublicae up sit finis litium and vigilantibus non dormientibus jura subveniunt, which mean; “it is in the interest of the State that there be an end to

11 2025 SCC Online SC 1969

litigation” and “the law assists those who are vigilant, and not those who sleep over their rights”, respectively. The former emphasizes that protracted litigation puts a strain on the judicial system and undermines the law’s role in dispute resolution, and so the public interest requires that disputes be resolved in some final form rather than continuing indefinitely to drain the resources of courts and the parties. While the later connotes that a person who has slept on his rights may be denied enforcement of the same when the resulting delay would cause an unfair prejudice.

61. What flows from the aforesaid is that the dominant objective underlying the law of limitation is that any lis cannot be kept in a state of flux or uncertainty, doubt or suspense. Public interest demands that at some point finality be put to the litigation. It is in this context that the Limitation Act, prescribes the specific points of time from which the period of limitation begins to run for the institution of actions or recourse to litigation. On expiry of such period, no action can be initiated save and except where the court condones the delay for a sufficient cause. A party who is insensible to the value of civil remedies, and who does not assert his claim with promptitude is denied the ability to enforce even an otherwise rightful claim. [See: DDA v. Tejpal & Ors., (2024) 7 SCC 433]”

27. It is a prerogative of the State/Legislature to make enactments and promulgate Schemes and they always speak through the said enactments; while their intentions behind any provision, is to be gathered from the language used in the provision along with the avowed objects with which the same came to be enacted.

28. The omission in the Scheme in question, for provisioning consideration for the explanation for the delay caused, cannot be construed or implied to be intentional, since the salutatory object with which the Scheme was to provide financial assistance and not to deprive the very same individuals, for whom the Scheme was made, on technical grounds.

29. The laws of limitation is not to destroy or extinguish rights but only to curb deliberate dilatory tactics and the legislature intends to ensure that expiry of limitation should not result in extinguishment of rights of the parties, therefore courts or even the authorities cannot be precluded from condoning the delay, provided “sufficient cause” is shown; and also the condonation of delay entails extension of limitation and not exclusion, particularly when no negligence, inaction or malafides can be imputed to the parties;

30. The establishment of “sufficient cause” is the first ingredient for the purposes of condonation of delay and a justice oriented approach must be prioritized over technicalities. Pragmatism over pedantism is therefore some time necessary, despite it appearing liberal or magnanimous. The expression “sufficient cause” should be given a liberal construction so as to advance substantial justice. However, care must be taken to distinguish “explanation” from excuse. (**Sheo Raj Singh Vs. Union of India**¹²)

31. The Apex Court in the case of **Esha Bhattacharya Vs. Managing Committee of Ragnathpur Nafar Academy**¹³ laid down broader principles, as to what is meant by “sufficient cause”:

“ 21. Barring the aforesaid, most of the discussion pertains to the merits of the case. We are of the convinced opinion that the High Court has misdirected itself by not considering certain facts, namely, (a) that the notice of the writ petition was served on the earlier managing committee; (b) that the earlier committee had appeared in the writ court and was aware of the proceedings and the order; (c) that the District Inspector of schools had communicated to the managing committee to comply with the order of the learned single Judge; (d) that the earlier managing committee had undertaken before the learned single Judge to comply with the order; (e) that the new managing committee had taken over charge from the earlier managing committee; (f) that nothing has been indicated in the affidavit that under what circumstances the new managing committee, despite taking over charge, was not aware of the pending litigation or for that matter the communication from the District Inspector; (g) that the writ court was still in seisin of the matter and no final verdict had come and hence, it would not be a case where there will be failure of justice if the appeal against the interim order is not entertained on the ground of limitation inasmuch as the final order was subject to assail in appeal; (h) that the managing committee had exhibited gross negligence and, in any way, recklessness; (i) that the conduct and attitude of the members of the committee before the writ court deserved to be decried since they should not have taken recourse to maladroit effort in complying with the order of the court; and (j) and that it was obvious that the managing committee was really

12 2023 (10) SCC 531

13 2013 (13) SCC 649

taking resort to dilatory tactics by not seeking necessitous legal remedy in quite promptitude. “

32. The case of **Pathapati Subba Reddy (Died) by L.Rs. v. Special Deputy Collector (LA)**¹⁴ also summarized, the principles governing the exceptions imagined under “sufficient cause” vis-à-vis substantive justice as under:—

“26. On a harmonious consideration of the provisions of the law, as aforesaid, and the law laid down by this Court, it is evident that: (i) Law of limitation is based upon public policy that there should be an end to litigation by forfeiting the right to remedy rather than the right itself; (ii) A right or the remedy that has not been exercised or availed of for a long time must come to an end or cease to exist after a fixed period of time; (iii) The provisions of the Limitation Act have to be construed differently, such as Section 3 has to be construed in a strict sense whereas Section 5 has to be construed liberally; (iv) In order to advance substantial justice, though liberal approach, justice-oriented approach or cause of substantial justice may be kept in mind but the same cannot be used to defeat the substantial law of limitation contained in Section 3 of the Limitation Act; (v) Courts are empowered to exercise discretion to condone the delay if sufficient cause had been explained, but that exercise of power is discretionary in nature and may not be exercised even if sufficient cause is established for various factors such as, where there is inordinate delay, negligence and want of due diligence; (vi) Merely some persons obtained relief in similar matter, it does not mean that others are also entitled to the same benefit if the court is not satisfied with the cause shown for the delay in filing the appeal; (vii) Merits of the case are not required to be considered in condoning the delay; and (viii) Delay condonation application has to be decided on the parameters laid down for condoning the delay and condoning the delay for the reason that the conditions have been imposed, tantamounts to disregarding the statutory provision.”

33. From the aforesaid the principles determining the sufficiency of any cause, is to be determined contextually, taking into account a holistic view of the circumstances, with due regard to the conduct of the applicant and whether any prejudice will be caused to the other party in condoning the delay. Inquiry has to rest on dual pillars of bona fides and

14 2024 SCC Online SC 513

diligence. Needless to say that length of delay may be instructive but not determinative.

34. In the said circumstances, it will be a violation of principles of natural justice, in case the claim is not even considered on account of the fact that though the delay was on the part of the State machinery but the period of 75 days is over, as per the Scheme.

35. We have examined the Scheme and find that Clause 10, does not give consideration to the aforesaid and there are plausible reasons to hold that right to be considered, including giving an explanation for the delay caused, is one of the tenants of principles of natural justice i.e “Audi Alteram Partem Rule” and same is also covered under the umbrella of Rights, guaranteed under Article 14 and 21 of the Constitution of India.

36. In view of the aforesaid, we find substance in the argument of the learned counsel for the petitioner that assuming that the outer limit for filing the complaint is 75 days as per the scheme (though the same is still under consideration before the Apex Court in the case of National Insurance Company Ltd.) but even in an absence of specific clause, for considering the claim of the petitioner beyond the period of limitation, subject to an explanation for the condonation of delay, non consideration to the explanation, shall be violative of Principles of Natural Justice. It is also not res integra that even if the scheme does not provide for adherence to the Principles of Natural Justice, it is an inherent right of every claimant, that he may be given an opportunity to explain the delay and which shall be incumbent upon the authorities to consider the same, within a reasonable time and in a reasonable manner.

37. In view of the aforesaid, we are in respectful agreement, with the judgement dated 23.02.2026 in **Usha Devi (Supra)** case; and also for the reasons stated herein.

38. In view of the aforesaid, we set aside the impugned order dated 11.11.2025 (Annexure-3 to the Civil Misc. Writ Petition No.7028 of 2026, Mala Devi vs. State of U.P. and others); order dated 10.09.2025

(Annexure-4 to the Civil Misc. Writ Petition No.7052 of 2026, Gayatri Devi Vs. State of U.P. and others); the order dated 15.3.2021 (Annexure-3 to the Civil Misc. Writ Petition No.7029 of 2026, Smt. Saraswati Devi Vs. State of U.P. and others; and order dated 11.11.2025 (Annexure-4 to the Civil Misc. Writ Petition No.7050 of 2026 Shiv Kumari Vs. State of U.P. and others), to the extent of the petitioners, respectively.

39. The aforesaid writ petitions are disposed of with the following directions to the respective respondent-authorities:-

- (i) The petitioner may be permitted to file an additional affidavit explaining the delay, which have occasioned in filing of the claim under the **Mukhyamantri Krishak Durghatana Kalyan Yojana** from the date of expiry of limitation, to the date of application; and
- (ii) In case the aforesaid affidavit is filed within 30 days from today, the authorities concerned, shall consider the same and after giving due opportunity to the petitioner, in case required, pass a reasoned order, as expeditiously as possible, preferably within a period of four weeks from the date of filing of the aforementioned affidavit by the petitioner; and
- (iii) In case the claim is being rejected on the ground of limitation and delay being not condoned, the claim shall be subject to the outcome of the decision of the Apex Court in National Insurance Co. Ltd. (Supra).

(Siddharth Nandan,J.) (Atul Sreedharan,J.)

March 20, 2026

piyush