

PETITIONER:
BHUKAMP PIDIT ANDOLAN

Vs.

RESPONDENT:
STATE OF U.P. AND ANR.

DATE OF JUDGMENT 08/05/1995

BENCH:
RAMASWAMY, K.
BENCH:
RAMASWAMY, K.
HANSARIA B.L. (J)

CITATION:
1995 SCALE (3) 679

ACT:

HEADNOTE:

JUDGMENT:

Affidavits have been filed on behalf of the District Collectors of Uttarkashi and Tehri Garwal. As regards the claimants in Uttarkashi District.

It was ultimately found that only four persons are eligible. Claim of 13 persons have been rejected on the ground either that Karta of the joint family has been paid and houses have already been rebuilt or claims have already been settled. Under these circumstances, so far as Uttarkashi is concerned, there are no eligible earthquake victims left out.

With regard to the Tehri District, the Collector has given the details. Names of 6978 have been received. Out of them they verified 6071. 907 are pending verification and compensation has already been received by 1500 people. 3844 were found to be not eligible. 576 people though found eligible, have not come forward to receive compensation. Therefore, they have not been paid. 151 claimants were minor and, therefore, they are not entitled to the payment of compensation.

In view of these facts, we do not think that any further purpose will be served in keeping the matter pending since substantially required work has been done by the District Collector of Tehri. However, with regard to the pending 907 claims for verification, the District Collector is directed to have them verified within a period of two months from the date of the receipt of this order and make payment to such of those who are found eligible. As to 576 persons whose claims were found to be eligible, the District Collector is directed to issue notice to them within one month of receipt of this order and make payment after verifying that they are genuine persons eligible to receive the compensation. This verification may be got done in the presence of the Patwari of the village concerned.

The writ petition is accordingly disposed of. No costs.

JUDIS