

**Court No. - 40**

**Case :-** WRIT - C No. - 37388 of 2018

**Petitioner :-** Pyara Singh

**Respondent :-** Union Of India And 3 Others

**Counsel for Petitioner :-** Dinesh Rai

**Counsel for Respondent :-** P K Srivastava,C.S.C.

**Hon'ble Mahesh Chandra Tripathi,J.**

**Hon'ble Vivek Kumar Singh,J.**

The present writ petition has been filed inter-alia with following reliefs:-

*"(a) Issue a writ, order or direction in the nature of mandamus directing the respondents to forthwith pay compensation to the petitioner alongwith interest regarding the loss occurred in 1984 during Anti Sikh Riots after assassination of the then Prime Minister of India.*

*(b) Issue a writ, order or direction in the nature of mandamus directing the respondent no.3 to decide the representation dated 05.03.2017 (Annexure no.11 to the writ petition)."*

Learned counsel for the petitioner submits that at present the petitioner is more than 84 years old and infirm person. The petitioner belongs to the Sikh community and on account of massive riot, which happened in the year 1984, he has lost two precious life of his wife namely Bhajan Kaur and his daughter Jeet Kaur, both were brutally killed. He submits that the Ministry of Home Affairs Government of India formulated a policy, which is known as "Sanction of Rehabilitation Package", which was widely circulated on 16.01.2006. The State Government has already accorded compensation of Rs.20,000/- to each deceased (Rs.40,000/- to the petitioner) and the said claim was duly verified as per paragraph 3 (iii) and (iv) of the Rehabilitation Policy dated 16.01.2006. Consequently in the year 2015, the State Government has enhanced the compensation to the tune of Rs.5 lacs but till date in spite of sufficient time, the difference of amount has not been released in favour of the petitioner.

In the facts and circumstance of the case, as the claim of the petitioner is admitted and the matter is pending since 2018, let the Secretary, Home (Communal Control Cell), Government of U.P. may file his personal affidavit on or before the next date fixed in the matter.

List this matter on 08.02.2023.

Let a copy of this order may be provided to Shri R.M. Upadhyay, learned Standing Counsel, free of cost, for necessary compliance.

**Order Date :-** 19.1.2023

S.Chaurasia