

Chief Justice's Court

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 413 of 2023

Petitioner :- Mohana And Others

Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Of Social Welfare , Civil Sectr. Lko. And Others

Counsel for Petitioner :- Aakash Srivastava,Rinku Verma

Counsel for Respondent :- C.S.C.

Hon'ble Arun Bhansali,Chief Justice

Hon'ble Attau Rahman Masoodi,J.

1. The sum and substance of the present PIL, essentially is that the petitioners claim that they are not in possession of mobile numbers or Aadhar Cards on account of their financial status/for lack of ridges on their thumb and fingers, Aadhar Cards are not being prepared and on account of lack of said mobile numbers or Aadhar Cards, they are being denied old age pension.

2. Learned counsel for the petitioners volunteered that the petitioners are prepared to subject themselves to any kind of verification other than the said two requirements of having mobile numbers or Aadhar Cards and on the respondents being satisfied, they may be directed to re-start the old age pension to the petitioners. Counsel for the petitioners, however, submits that he has information that few of the petitioners have died during the pendency of the writ petition.

3. Learned counsel for the respondents made submissions that no material has been produced to indicate that the old age pension was ever started and, therefore, the petitioners have to establish that they were being paid pension, which has been stopped, as was indicated in the earlier round of litigation by the petitioners by this Court. However, learned counsel for the respondents is not averse to making efforts to establish their identity even when they are not in possession of mobile numbers/Aadhar Cards. One such method to find out the existence/identity of the petitioners is through their bank account numbers, which are indicated in the list, Annexure-5 to the Supplementary Counter Affidavit, filed by the respondents as the Pass Books of the petitioners would be bearing their photos and as the claim pertains to the petitioners not possessing any other document, the said fact also can be verified, in case they appear personally before the respondents for the purpose.

4. In that view of the matter, the available petitioners would appear before the District Social Welfare Officer, Unnao on 29.02.2024 along with their Pass Books, accounts numbers whereof have been indicated or any other material to indicate that they were being paid the old age pension prior to its alleged stoppage. The Officer may satisfy himself about the genuineness of the petitioners, however, he would not insist on production of mobile numbers/Aadhar Cards and in case he comes to the conclusion about the genuineness of the petitioners and that they are not being paid old age pension, the same would be paid to them.

5. The verification report and the action taken by the respondents may be produced before this Court on the next date.

6. List this case on 12.03.2024.

Order Date :- 23.2.2024

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(Attau Rahman Masoodi, J.)

(Arun Bhansali, CJ)