



HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 25513 of 2023

Adarsh Pandey @ Ansh (Minor)

.....Petitioner(s)

Versus

Union Of India And 3 Others

.....Respondent(s)

Counsel for Petitioner(s) : Ashwini Kumar Singh

Counsel for Respondent(s) : A.S.G.I., C.S.C., Jayanti Vikram Singh

Court No. - 4

HON'BLE AJIT KUMAR, J.

HON'BLE SWARUPAMA CHATURVEDI, J.

Rejoinder affidavit filed on behalf of the petitioner as well as counter affidavit filed on behalf of the Union of India are taken on record.

Heard Sri Ashwini Kumar Singh, learned counsel for the petitioner, Sri Jayanti Vikram Singh, learned counsel for Union of India as well as Ms. Shruti Malviya, learned brief holder for the State respondents.

This petition is directed on behalf of the minor of the deceased parents who died in a railway accident.

It is claimed on behalf of the petitioner that both the Central and State Governments had announced *ex-gratia* payment for dependents of the victims of of railway accident and while the Central Government announced Rs. 5 lakh for dependents of the victims who were died. The State Chief Minister has also made similar announcement.

A counter affidavit has been filed on behalf of the Union of India disclosing therein the payments that have been made on behalf of the Central Government as per the declaration made, however, upon a pointed query being made, Ms. Shruti Malviya, learned brief holder for the State respondents submits that as per the instructions, the documents were insufficient rather no proof as such of the parents dying in a railway accident and hence the payment could not be made.

This in our considered view is making of mockery of policy by those who

are in the helm of affairs of the State department as to when the Central Government has made payment on the basis of documents, those documents should have been taken as a basis of payment by the State Government. The officials of the State Government is supposed to behave in a responsible manner. In order to facilitate payment at the end of the State Government, we are directing Sri Jayanti Vikram Singh, learned counsel for Union of India to handover a copy of the counter affidavit to Ms. Shruti Malviya, learned brief holder for the State respondents today itself.

Since, the District Magistrate has furnished the instructions to learned brief holder for the State respondents, he is directed to do the needful in the matter on the basis of the affidavit filed by the Central Government and clear the dues as per the announcement made for ex-gratia payment and file a compliance affidavit by the next date fixed, failing which the District Magistrate shall remain present in Court on the next date fixed.

List this matter on 06.01.2026.

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

November 28, 2025

#Vikram/-