required to be reversed it can exercise the revisional power and there is no need for reference to the Board of Revenue. At the time when the revision was filed in the year 1992, the said revision was under Section 218 of the U. P. Land Revenue Act claiming exercise of power of reference. Section 10 of the U. P. Act No. XX of 1997 has only saved the reference which were already referred to the Board of Revenue on 18.8.1997. Thus, even if the reference was filed under Section 218 prior to 18.8.1997 in which no reference was made to the Board of Revenue, the same could not have been continued as the reference under Section 218. Now the Commissioner himself has been vested with the power of revisional jurisdiction under Section 219. In Revision No. 41 of 1992 which is pending before the Commissioner, there is no lack of Jurisdiction in the Commissioner to exercise his revisional jurisdiction. The exercise of jurisdiction now has to be made under Section 219 instead of Section 218. Merely because in the memo of revision Section 218 was mentioned earlier. it will not Inhibit the Commissioner exercising in his jurisdiction under Section 219 of the U. P. Land Revenue Act."

- 13. It is also material to mention that no counter affidavit has been filed by State for the last more than 25 years, as such, there is no option except to decide the instant petition on the basis of averment made in the writ petition as mentioned above.
- 14. Considering the facts and circumstances, especially, the order dated 25.9.1986 passed by the Consolidation Officer in the title proceeding which has

attained finality, there is no illegality in the order passed by the Additional Commissioner dated 12.5.1998, accordingly, the impugned order dated 17.8.1998, passed by the respondent no.1/Board of Revenue is liable to be set aside and the same is hereby set aside.

15. The writ petition stands allowed and the order passed by the Additional Commissioner dated 12.5.1998 is hereby affirmed.

16. No order as to costs.

(2025) 2 ILRA 524
ORIGINAL JURISDICTION
CIVIL SIDE
DATED: ALLAHABAD 19.02.2025

BEFORE

THE HON'BLE SHEKHAR B. SARAF, J. THE HON'BLE VIPIN CHANDRA DIXIT, J.

Writ C No. 3948 of 2025

Rajneeta

...Petitioner

Versus

U.O.I. & Ors.

...Respondents

Counsel for the Petitioner:

Sri Mohammad Danish, Mohammad Iliyas

Counsel for the Respondents:

A.S.G.I., C.S.C., Sri Vivek Kumar Singh

Constitutional (A) Law Victim Compensation Non-payment additional compensation to acid attack victim - Prime Minister National Relief Fund - Executive Directions - Authorities required to fulfill their primary duty to serve the people, especially ones who have been disabled by egregious acts of violence - State Government directed to issue a circular to all the District Magistrates to ensure that delay of such nature is not repeated in future -

Lackadaisical approach - incompetency and lack of compassion - war footing - Authorities directed to ensure payment of additional compensation to acid attack victim within stipulated time. (Para -6,7, 8)

Petitioner, a victim of acid attack in 2013 - received certain compensation but not the additional compensation of Rs.1,00,000/-payable under the Prime Minister National Relief Fund - Despite instructions from the Union of India, no response was given by the District Magistrate regarding the required proforma and documents. (Para - 2 to 7)

HELD: - Court directed the authorities to ensure prompt payment of additional compensation by the Union of India to the petitioner and mandated the State Government to issue a circular to all District Magistrates to prevent future delays. **(Para - 6 to 8)**

Petition disposed of. (E-7)

(Delivered by Hon'ble Shekhar B. Saraf, J. &

Hon'ble Vipin Chandra Dixit, J.)

- 1. Heard Mohd. Iliyas, counsel appearing on behalf of the petitioner, Mr. Vivek Kumar Singh, counsel appearing on behalf of the Union of India and Mr. K.K. Singh, Standing Counsel appearing on behalf of the State respondents.
- 2. In the present writ petition, the petitioner has been running from pillar to post for receiving the additional compensation of Rs.1,00,000/- payable to acid attack victims under the Prime Minister National Relief Fund.
- 3. Upon perusal of the documents, it appears that by a letter dated September 3, 2024, the Under Secretary, Government of India, Ministry of Home Affairs, Women Safety Division, New Delhi has

written to the District Magistrate, Meerut to provide specific responses in the enclosed proforma along with legible copy of the medical report and the first information report of the acid attack upon the petitioner and one more victim.

- 4. Counsel on behalf of the State respondents submits that he has no instructions in the matter.
- 5. It appears that in spite of letter written by the Union of India, no response has been sent by the District Magistrate, Meerut. We find the situation to be extremely alarming as the case is with regard to compensation to the victim of an acid attack.
- 6. It is to be noted that the incident of acid attack had taken place in the year 2013 and certain compensation was received by the petitioner. However, it is clear from the records that the cost of the surgeries and medical assistance required by the petitioner is far above the compensation provided to the petitioner. In light of the same, it becomes imperative to direct the authorities to ensure that the additional compensation to be provided by the Union of India should be handed over to the petitioner at the earliest.
- 7. The present lackadaisical approach of the District Magistrate, Meerut clearly indicates incompetency and lack of compassion. Authorities are required to fulfill their primary duty to serve the people, especially ones who have been disabled by egregious acts of violence as in the present case. We would expect far more alacrity and empathy to be shown by State officials. The State Government is, accordingly, directed to issue a circular to all the District Magistrates to ensure that

delay of such nature is not repeated in future. The Registrar (Compliance) of this Court is directed to communicate this order to the Principal Secretary (Home), Government of U.P., Lucknow.

- 8. With regard to the present case, the District Magistrate, Meerut is directed to ensure compliance of the letter dated September 3, 2024 within a period of one week from date. Upon such compliance being made, the Department concerned in the Union of India is directed to act on a war footing and thereafter make payment of additional compensation to the petitioner within six weeks from the date of receipt of documents from the District Magistrate, Meerut.
- 9. With the above directions, the writ petition is disposed of.
- 10. Let this order be also communicated by the Registrar (Compliance) of this Court to the Ministry of Home Affairs, Women Safety Division, Government of India, New Delhi and the District Magistrate, Meerut.

(2025) 2 ILRA 526
ORIGINAL JURISDICTION
CIVIL SIDE
DATED: ALLAHABAD 19.02.2025

BEFORE

THE HON'BLE VIKRAM D. CHAUHAN, J.

Writ CNo. 7948 of 2019

Sanjeev KumarPetitioner Versus

State of U.P. & Ors. ...Respondents

Counsel for the Petitioner: Dharm Vir Singh

Counsel for the Respondents: C.S.C.

Criminal Law - THE ARMS ACT, 1959 -**Section 17(1)(b)** - The licensing authority may by order in writing revoke a licence if the licensing authority deems it necessary for the security of the public peace or for public safety to revoke the licence - District Magistrate, cancelled the arms licence on account of misuse of weapon by threatening the police. F.I.R. in respect of the same incident lodged. In the said criminal case charge sheet submitted against the petitioner and charges framed. Criminal case pending against the petitioner. Held: Findings recorded in the criminal case may have an important bearing with regard to the cancellation of arms licence of the petitioner as present proceedings are summary proceedings. However, in the trial if the petitioner is convicted, the same may fortify the stand taken by the State for cancellation of arms licence. However, the acquittal order would also equally effects the cancellation of the arms licence. Defence of the petitioner qua the cancellation of the arms licence was required to be proved by the petitioner by leading evidence. Petitioner did not lead any evidence, therefore, it cannot be said that the petitioner has not misuse the firearm. It was also not demonstrated that the report of the Senior Superintendent of Police, was incorrect. No error in the impugned order. (Para 9, 11)

Dismissed. (E-5)

List of Cases cited:

- 1. Nagesh Kumar Vs St. of U.P. & ors., Writ-C No.53252 of 2015
- 2. Pratap @ Ram Pratap Vs St. of U.P. through Principal Secretary Home Lucknow & ors. in Misc. Single No.28781 of 2017

(Delivered by Hon'ble Vikram D. Chauhan, J.)

1. Heard learned counsel for the petitioner and learned Standing Counsel for the State-respondents.