



IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANDEEP N. BHATT

ON THE 4th OF FEBRUARY, 2026

WRIT PETITION No. 19632 of 2012

UMAKANT SINGH @ DADDU SINGH

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Anirudh Mishra, counsel for the petitioner.

Shri Kamal Singh Baghel, G.A for respondent/State.
.....

ORDER

Present petition is filed for following reliefs :-

"7.1 To call for the entire records pertaining to the case of the present petitioner for kind perusal of this Hon'ble Court.

7.2 To direct the respondents to consider the genuine and rightful claim of the petitioner in respect to the grant of Samman Nidhi (M.P.) and further be pleased to direct the respondents to give all the consequential and pecuniary benefits to the petitioner till the date since 2008 along with interest.

7.3 Any other relief which this Hon'ble Court deems fit and proper may also be given to the petitioners along with the cost of petition, in the interest of justice."

2. Learned counsel for the petitioner submits that he was being the bar in M.I.S.A in the year 1976-1977 and he is entitled to get the benefit of Samman Nidhi (Pension). As he was not given said benefit,



therefore, he filed W.P.No.12528/2008(s) before this Hon'ble Court which was disposed off by directing the respondent/authority to consider the case of the petitioner. The authority has wrongly rejected the case of petitioner on the ground that there were three criminal antecedents. He submits that though he produced the record regarding acquittal in these three cases, the authority has not considered the same in proper manner and, therefore, the authority is required to be directed to pass appropriate order. He submits that during pendency of the petition, petitioner has expired on 28.11.2012 and, therefore, now his wife is pursuing the present petition and there is provision under the scheme that family member can also get the amount of pension and, therefore, appropriate order may be passed by directing the respondent/authority.

3. Learned counsel for the respondent/State has opposed the prayer by referring to the return which is filed. Para 3 to 5 of the return reads as under :-

"3. It is submitted that in any case the Notification dtd. 20'June, 2008 which promulgated Lok Narayan Jay Prakash(Meesa/D,1,R Persons Taken into Custody Due to Political or Social Reasons) Samman Nidhi Rules, 2008, copy enclosed as Annexure R-2, it is clearly in Rule 6 of that Committee constituted under the chairmanship of the _incharge Minister of the District of which District. Magistrate is a member Secretary shall ensure that only those persons will be granted Samman Nidi who were arrested for political or social reasons and at that. time had no history of



criminal/unsocial activity.

4. *In the present case the Collector has categorically mentioned that there was a criminal case No. 28/76 which was registered U/s 546, 511, 477, 147, 323 and 506 B IPC. It is also mention that later on Criminal case No.55/97 was registered against the petitioner U/s 147, 148,506 B 323 I.P.C Inthe year also 1988 case U/s 147, 148, 149, 336, 341 & 323 LP.C. were registered against the petitioner. Thus in terms of the provisions of Rules of 2008, Annex. R-1 the petitioner is not entitled 'for grant of Samman Nidhi specially when it has come on record that petitioner was in Jail not because of any social or political reason but due criminal case being registered against him. In the year, 1976. To this effect representation of the S.P. Rewa sent to the Collector, Rewa is filed herewith as Annexure R-3.*

5. *It is further submitted that against the order Annex R-1 of Collector there is an alternative remedy of filing representation under Rule 8 of the Rules of 2008 to the State Government within a period of 30 days from the date of order. Thus the petition filed by the petitioner is not maintainable.*

By referring to aforesaid paras of the return, learned counsel for the State submits that the authority has considered this aspect and in view of rule-6, the case of the petitioner was not considered as petitioner was not in jail because of any social or political reason but due to criminal case being registered against him in the year 1976. It is also contended that in view of rule-8 of Rules of 2008, against the order of Collector there is an alternative remedy of filing representation and, therefore, on that count also petition is not maintainable. He also referred to the



documents annexed with the return, more particularly, Annexure R/1, whereby, details of various cases are mentioned which are decided in the meeting of the Committee dated 26.02.2009, whereby cases of similar persons are also rejected.

4. At this stage, learned counsel for the petitioner further argued that in some of the cases where criminal cases are registered against the other persons, their cases are accepted for the said benefit, therefore, he prays that his case may also be considered and appropriate order may be passed.

5. Per contra, learned counsel for the State submits that petition is required to be dismissed in view of the fact that petitioner is not entitled to get any benefit of Samman Nidhi (Pension) in view of the rules framed in the year 2008.

6. Considering the submissions made at the bar and considering the material available on the record, it transpires that rule 6 and 8 of the rules framed in the year 2008 clearly speaks about the fact that if imprisonment of the person is for political or social reason then only he is entitled to get the benefit of Samman Nidhi. In the present case, there are three criminal cases registered against the present petitioner and due to these criminal cases at the relevant point of time, the petitioner was behind the bar. It is also required to be noted that the cases of similarly situated persons are also rejected by the respondent/authority by considering the criminal antecedents and, therefore, it cannot be said that the respondent/authority has acted in arbitrary or negligent manner by rejecting the claim of the petitioner. Moreover, petitioner/family member is having remedy under rule 8 of



the Rules of 2008 to make further representation, which is not availed and, instead of that the present petition is filed. On that count also petition deserves to be dismissed. However, it is open for the petitioner/family member to make appropriate representation before the respondent/authority. If such representation is made within a period of four weeks from today, the authority shall consider the same in accordance with law by considering the material available before it and also considering the applicable rules.

7. With the above direction, present petition is disposed off.

(SANDEEP N. BHATT)
JUDGE

MKL