

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

D.B. Civil Writ Petition No. 12894/2022

Jethu Singh

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

Connected With

1. D.B. Civil Writ Petition No. 12421/2022
2. D.B. Civil Writ Petition No. 13731/2022
3. D.B. Civil Writ Petition No. 266/2023
4. D.B. Civil Writ Petition No. 1199/2023
5. D.B. Civil Writ Petition No. 7327/2023

For Petitioner(s)	:	Mr. Moti Singh
For Respondent(s)	:	Mr. K.S. Rajpurohit, AAG Mr. P.S. Champawat Mr. Salil Trivedi Mr. Dhanpat Choudhary

**HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI
HON'BLE MR. JUSTICE RAJENDRA PRAKASH SONI**

Order

03/01/2024

1. Learned counsel for the petitioners has pointed out that the present petitions pertain to payment of crops insurance. The Same was denied to the present petitioners which is contrary to the Notification of Kharif Crops of years 2021 under the PMFBY scheme to the farmers (loanee category) of Patwar circle Subdand Tehsil Luni, District Jodhpur.
2. Learned counsel for the petitioners has raised the contention supported by the document dated 12.09.2021, wherein it is reflected that from the last 7 years petitioners pertaining to Subdand Patwar circle were having the produce of 499.47 kg yield

and in similar cases like Piparli and Dhundara, they are having 464.66 and 507.94 kgs of yield per hectare respectively which is an average of last 7 years.

3. Learned counsel for the petitioners further submit that once the 7 years average yield of the petitioners was at par with Dhundara and Piparli and many other places and then after arriving at a conclusion that there was '0' percent yield for Dhundara and Piparli and giving them 90 percent compensation while not giving the same benefit to the Subdand Patwar circle having '0' percent yield is not only prejudicial to the present petitioners but is highly discriminating.

4. Learned counsel for the petitioners has further demonstrated from the Annexure R/2/6 in which the reason has been contemplated by the competent body, which is the Technical Advisory Committee (TAC) for such anomaly having been committed is that during the mid-term adversity being invoked by the State Government in the District, '0' percent yield was given to 3 Subdand Patwar Mandals out of 74 Patwar Mandals. The Insurance Company has already settled the claims of 71 Patwar Mandals but for these 3 Patwar Mandals difficulty has arisen because the data regarding average yield was not available with the insurance company.

5. Learned counsel for the insurance company submits that when the issue was raised, an appropriate Technical Advisory Committee was constituted and after following the due process of law, the compensation is arrived at. The counsel for the insurance company, however is unable to explain the discrepancy/ anomaly arising in the 7 years of average crops yield in that region which

was the data recorded by the competent bodies of the State with '0' percent yield.

6. Mr. K.S. Rajpurohit, learned AAG clearly admits that even after issuance of notices in January, 2022, they have not been able to file reply and seeks short time to file reply.

7. Time prayed for is allowed.

8. List the matter on 29.01.2024.

(RAJENDRA PRAKASH SONI),J (DR. PUSHPENDRA SINGH BHATI),J

78 to 83-Anshul/-