

Court No. - 36

Case :- WRIT - A No. - 11613 of 2023

Petitioner :- Prashant Singh

Respondent :- State Of Uttar Pradesh And 5 Others

Counsel for Petitioner :- Akhilesh Kumar

Counsel for Respondent :- C.S.C.

Hon'ble Manjive Shukla,J.

1. Heard learned counsel appearing for the petitioner, Mr. Ashok Mehta, learned Additional Advocate General assisted by Mr. Pradeep Kumar Shahi, learned Additional Chief Standing Counsel appearing for the respondents.

2. Petitioner through this writ petition has prayed for a direction from this court thereby commanding the respondents to pay the dearness allowance over the family pension admissible to the petitioner. Petitioner in his writ petition has prayed for following relief :-

"Issue a writ, order or direction in the nature of Mandamus commanding to the respondent no. 6 issue Dearness Relief to the petitioner with family pension according to the Government Order dated 17.03.2016."

3. Petitioner in his writ petition has contended that the State Government has issued a Government Order on 17.03.2016, whereby provision was made for payment of admissible dearness allowance over the family pension payable to the dependents of the deceased government servants of the State but the said arrangement of payment of dearness allowance is not applicable in the matter of payment of family pension where a teacher working in a primary school run by U.P. Basic Education Board has died.

4. This matter was heard on last few occasions and time was taken from the side of the State respondents to take remedial measures.

5. Today Mr. Ashok Mehta, learned Additional Advocate General assisted by Mr. Pradeep Kumar Shahi, learned Additional Chief Standing Counsel appearing for the respondents has produced before this court the Government order dated 20.11.2023, whereby grievance of the petitioner has been redressed and provision has been made that the dependents of the teachers working in the

primary schools run by the U.P. Basic Education Board, Prayagraj shall also be entitled for dearness allowance over the family pension. The copy of the Government order dated 20.11.2023 is taken on record.

6. I have gone through the Government order dated 20.11.2023 and prima facie I am of the view that the grievance of the petitioner has been redressed.

7. In view of the aforesaid reasons, let Senior Treasury Officer/Treasury Officer, District Bijnor pass appropriate order for payment of dearness allowance over the family pension of the petitioner in terms of Government order dated 20.11.2023. The aforesaid exercise shall be completed by the Respondents No. 6 within a period of one month from the date of service of certified copy of this order.

8. Writ petition stands ***disposed off***.

Order Date :- 21.11.2023

Gaurav