

Court No. - 35

Case :- WRIT - A No. - 13606 of 2023

Petitioner :- Aradhana Lal

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Syed Mushfiq Ali

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar,J.

Heard Sri S.M. Ali, learned counsel for the petitioner and Sri Santosh Kumar, the learned Standing Counsel, who appears for Respondent Nos. 1 to 3.

In view of the order, which is being proposed to be passed today, notices are not being issued to Respondent Nos. 4 and 5.

The case of the writ petitioner is that her father, namely, Sri Praveen Hury Lal, who was working as an Assistant Teacher in the fifth respondent Institution died on 13.09.2003. His wife, namely, Anita Lal was made admissible for payment of pension, however, she remarried in the year 2018. Now, the writ petitioner, the divorced daughter of the deceased claims family pension. The writ petitioner relies upon a communication of the fourth respondent, Principal, Christian Inter College, Jhokhan Bagh, Jhansi, addressed to the third respondent, Deputy Director of Education, Jhansi Region, Jhansi, dated 20.08.2020, wherein according to the writ petitioner, there happens to be a communication to consider the case of the writ petitioner.

Prayer in the present petition is for a direction to the respondents for payment of family pension.

Sri Santosh Kumar, learned Standing Counsel, who appears for Respondent Nos. 1 to 3 submits that the writ petitioner may represent her cause before the third respondent, since the fourth respondent has transmitted the paper on 20.08.2020 and recommended the case of the writ petitioner. He further submits that he does not propose to file any response to the writ petition.

Considering the submission of the rival parties as well as the stand taken by them, the writ petition is being disposed off without seeking any response from the respondents granting liberty to the writ petitioner to approach the third respondent, along with a comprehensive representation accompanied with self-attested copy

of the writ petition, who shall, on the receipt of the same, put to notice the fourth and the fifth respondents and thereafter proceed to decide the claim of the writ petitioner within a period of three months from the date of production of certified copy of the order.

Needless to point out that the writ petitioner is being decided without seeking any response from the respondents, thus passing of this order may not be construed to an expression that this Court has adjudicated the matter on merits and the third respondent shall pass an order with independent application of mind without being influenced or obsessed with any of the observations made hereinabove.

With the aforesaid observations the writ petition stands **disposed off**.

Order Date :- 31.10.2023

N.S.Rathour