

Court No. - 36

Case :- WRIT - A No. - 14827 of 2023

Petitioner :- Rajeshwari Devi

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Sanjay Kumar Srivastava

Counsel for Respondent :- C.S.C,Bhanu Pratap Singh
Kachhawah

Hon'ble Manjive Shukla,J.

1. Heard learned counsel appearing for the petitioner, learned Standing Counsel appearing for the Respondent No. 1 as well as Sri Bhanu Pratap Singh Kachhawah, learned counsel appearing for the Respondents No. 2 and 3.

2. Petitioner through this writ petition has prayed for a direction from this court thereby commanding the respondents to re-fix the pension of the petitioner by granting benefit of one notional annual increment in the pay with effect from 1.07.2012. Petitioner has further prayed for all consequential benefits after the grant of notional annual increment.

3. Petitioner after working on the post of Headmistress in Shubhash Chandra Bose Junior Basic School, Nagar Kshetra, District Etah, retired from service on 30.06.2012. After retirement of the petitioner, all the retiral dues have been finalized without giving petitioner one notional annual increment with effect from 1.07.2012.

4. Learned counsel appearing for the petitioner has submitted that since petitioner has completed one year of service from 1.07.2011 to 30.06.2012, therefore, she is entitled for one annual increment which would have been otherwise available with effect from 1.07.2012.

5. Learned counsel appearing for the petitioner has also invited attention of this court that petitioner has already submitted representation to the District Basic Education Officer, Etah for redressal of her grievance but till date, decision in petitioner's matter has not been taken.

6. On the other hand, Sri Bhanu Pratap Singh Kachhawah, learned

counsel appearing for the Respondents No. 2 and 3 has submitted that petitioner's representation is not available in the office of District Basic Education Officer but if petitioner files a fresh comprehensive representation, then definitely her grievance can be looked into and redressed by the District Basic Education Officer, Etah.

7. In view of the aforesaid submissions advanced by learned counsel appearing for the parties, this writ petition is finally ***disposed of*** with liberty to the petitioner to file a fresh comprehensive representation raising her grievance before the District Basic Education Officer, Etah and if such representation is filed, Respondent No. 2 is directed to consider and decide the said representation by passing a speaking and reasoned order within two months from the date of service of certified copy of this order.

Order Date :- 3.11.2023

A. Mandhani