

**Court No. - 36**

**Case :-** WRIT - A No. - 15232 of 2023

**Petitioner :-** Shyam Bihari

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

**Counsel for Petitioner :-** Anurag Shukla

**Counsel for Respondent :-** C.S.C., Shashi Kant Srivastava

**Hon'ble Manjive Shukla, J.**

1. Heard learned counsel appearing for the petitioner, learned Standing Counsel appearing for the Respondents No.1 and 2 as well as Sri Shashi Kant Srivastava, learned counsel appearing for the Respondents No.3, 4 and 5.

2. Learned counsel appearing for the petitioner has submitted that petitioner while working on the post of Head Master in Senior Basic School Ghughaura, Block Bilsanda, District Pilibhit, after attaining the age of superannuation, retired from service on 30.6.2012. Petitioner while in service has not been paid Grade Pay of the promotional post while juniors to the petitioner have been granted the said benefit.

3. Learned counsel appearing for the petitioner has further submitted that petitioner has filed various representations before the competent authority but till date decision has not been taken over the said representations. Learned counsel appearing for the petitioner has invited attention of this court towards the letter dated 14.2.2023 written by the Block Education Officer, Block Bilsanda, District Pilibhit to Finance and Accounts Officer, Basic Education, District Pilibhit, wherein positive recommendation has been made in favour of the petitioner and request has been made to take decision regarding petitioner's matter.

4. Learned counsel appearing for the petitioner has argued that the matter is pending at the end of Finance and Accounts Officer, Basic Education, District Pilibhit, therefore it would be in the fitness of things if a direction is issued by this court to Finance and Accounts Officer, Basic Education, District Pilibhit to consider and decide petitioner's case for grant of Grade Pay of the promotional post.

5. Sri Shashi Kant Srivastava, learned counsel appearing for the Respondents No.4 and 5 has very fairly submitted that ends of justice would be served if a direction is issued by this court to

Finance and Accounts Officer, Basic Education, District Pilibhit to consider and decide petitioner's case within a fixed time frame.

6. In view of the aforesaid submissions advanced by the learned counsels appearing for the parties, this writ petition is finally disposed of with liberty to petitioner to file a fresh representation before the Finance and Accounts Officer, Basic Education, District Pilibhit within fifteen days from today and if such representation is filed, Respondent No.4 is directed to consider and decide the said representation by passing reasoned and speaking order within two months thereafter.

**Order Date :- 18.10.2023**

Salim