

Court No. - 35

Case :- WRIT - A No. - 15514 of 2023

Petitioner :- Smt. Bhagirathi

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Avadh Pratap Singh Shishodia

Counsel for Respondent :- CSC

Hon'ble Vikas Budhwar,J.

1. Heard Sri Vijay Kumar Singh, Advocate holding brief of Sri Avadh Pratap Singh, learned counsel for the petitioner and Sri H. K. Shukla, learned Standing Counsel who appears for the respondents no. 1, 2 and 3.

2. The case of the writ petitioner is that respondent no. 4, Hazari Lal Memorial Inter College, District Baghpat is an institution recognised under the provisions of UP Intermediate Education Act, 1921 and the UP Act No. 24 of 1971 stands applicable.

3. According to the writ petitioner, her husband Late Mohan Lal was working as a Watchman since 1.12.1977 in the said institution, expired on 27.3.2020.

4. It is the further case of the writ petitioner that insurance amount has not been accorded to her being the legally wedded wife.

5. Mandamus in this regard has sought for disposal of the representation in this regard.

6. Sri H.K. Shukla, learned Standing Counsel submitted that the issues as to whether the writ petitioner is entitled to the said benefit is to be considered at the first instance by the second respondent, District Inspector of Schools, Baghpat who shall address to the to the claim of the petitioner. He further submits that they do not propose to file any response to the writ petition.

7. To such a submission, learned counsel for the writ petitioner has no objection and he gracefully accepts the same.

8. Considering the submissions of the rival parties as well as stand taken by them, the writ petition is being disposed of granting

liberty to the writ petitioner to prefer a comprehensive representation before the second respondent and on the receipt of the same, the second respondent shall decide the claim of the petitioner strictly in accordance with law, bearing in mind the entitlement of the writ petitioner after putting notice to the institution and the principal of the institution.

9. With the aforesaid observations, the writ petition stands disposed of.

10. Needless to point out that this court has not adjudicated on the merits of the case.

Order Date :- 12.10.2023

S.A.