

**Court No. - 35**

**Case :-** WRIT - A No. - 17099 of 2023

**Petitioner :-** Rani Sharma

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

**Counsel for Petitioner :-** Sachin Kanaujiya, Shivam Kanoujiya

**Counsel for Respondent :-** C.S.C.

**Hon'ble Vikas Budhwar, J.**

1. Heard Sri Sachin Kanaujiya, learned counsel for the writ petitioner and Sri Shailendra Singh, learned Standing Counsel who appears for respondents No. 1 to 3.

2. In view of the order which is being proposed to be passed today, notice is not being issued to the fourth respondent.

3. The case of the writ petitioner is that her husband namely, Ram Babu Sharma, who was working as Assistant Teacher in the Public Inter College, Rabupura, District Gautam Budh Nagar, he retired on 30.06.2007. It is further the case of the writ petitioner that pension was paid to her husband till 30.03.2015 the writ petitioner preferred application for grant of family pension along with other benefits and the matter was even taken cognizance by the fourth respondent while issuing communication on 14.06.2023.

4. Grievance of the writ petitioner is that till date she has not been paid family pension.

5. Sri Shailendra Singh, learned Standing Counsel submits that the issue as to whether the writ petitioner is entitled family pension needs determination at the level of the third respondent, District Inspector of Schools, Gautam Budh Nagar who shall address the said issued after putting to notice the fourth respondent, he, thus, submits that he does not propose to file any response to the writ petition.

6. Considering the submission of the rival parties as well as the stand taken by them, the writ petition is being disposed of without seeking any response from the respondents granting liberty to the writ petitioner to prefer a comprehensive representation along with the self attested copy of the writ petition before the third respondent, District Inspector of Schools, Gautam Budh Nagar

who shall proceed to decide the claim of the writ petitioner within a period of two months from the date of production of certified copy of the order bearing in mind the entitlement as well as the competing claims, if any.

7. Needless to point out that passing of this order may not be construed to be an expression that this Court has adjudicated on the merits of the matter and further the third respondent, District Inspector of Schools, Gautam Budh Nagar shall pass an order without being influenced or obsessed by any of the observations made hereinabove.

**Order Date :- 18.10.2023**

Rajesh