

Court No. - 35

Case :- WRIT - A No. - 17228 of 2023

Petitioner :- Munshi Lal Verma

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

Counsel for Petitioner :- Aman Arya

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar,J.

Heard Sri Aman Arya, learned counsel for the writ petitioner and Sri Vijai Pratap Singh, learned Standing Counsel, who appears for respondents 1 to 4.

In view of the order, which is being proposed to be passed today, notices are not being issued to the fifth respondent.

The case of the writ petitioner is that he was initially appointed as Yoga Teacher in L.T. Grade on 1.5.1982 in the institution, R.P. Inter College, Kamalganj, District Farrukhabad and he was accorded Selection Grade on 1.5.2022 and promotional pay scale on 1.5.2014 however he superannuated on 31.3.2022. Prayer in the present petition is for a direction to the third respondent, District Inspector of Schools, Farrukhabad, District Farrukhabad to accord consideration to the claim of the writ petitioner for payment of pension after taking into account the selection grade and the promotional grade.

Learned Standing Counsel, who appears for respondents 1 to 4 on the other hand submits that the issue with the writ petitioner is raising needs determination at the first instance by the third respondent, District Inspector of Schools, Farrukhabad, District Farrukhabad who shall address to the claim of the writ petitioner. He further submits that he does not propose to file any response to the writ petition.

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

Considering the submissions of the rival parties as well as 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 prefer a comprehensive representation along with

the self-attested copy of the writ petition before the third respondent, District Inspector of Schools, Farrukhabad, District Farrukhabad who shall on the receipt of the same, put to notice the fifth respondent and thereafter proceed to decide the entitlement of the petitioner strictly in accordance with law within a period of three months from the date of presentation of the certified copy of the order. In the case the third respondent is of the opinion that the matter needs to be addressed by any of the authority that the writ petitioner as well as fifth respondent put to notice in advance in writing so as to facilitate any inputs for disposal of the claim.

Needless to point out that the writ petition has been decided without seeking any response from the respondents. Thus, passing of this order may not be construed to an expression that this Court has gone into the merits of the case.

With the aforesaid observation, the writ petition is **disposed off**.

Order Date :- 6.11.2023

piyush