

Court No. - 35

Case :- WRIT - A No. - 18257 of 2023

Petitioner :- Raja Ram Singh And Another

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

Counsel for Petitioner :- Suhail Ahmad Ansari

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar,J.

1. Heard Sri Suhail Ahmad Ansari, learned counsel for the writ petitioners who are two in number and Sri Shailendra Singh, learned Standing Counsel who appears for respondents No. 1, 2 and 3.

2. Principally, the relief sought in the present petition is for granting for benefit to the notional increments to the writ petitioners who had retired on 30.06.2012/13. Learned counsel for the writ petitioners relies upon a decision of the Madras High Court in the case of **P. Ayyamperumal Vs. The Registrar, Central Administrative Tribunal, Madras Bench, High Court Complex, Chennai** as well as various other judgments of different High Courts and the judgment in the case of **P.P. Pandey Vs. State of U.P. 2021 (1) ADJ 646**.

3. Sri Shailendra Singh, learned Standing Counsel submits that the said issue needs determination at the first instance by the Director of Education (Madhyamic) U.P. Prayagraj, let the writ petitioners may represent his cause before the second respondent, Director of Education (Madhyamik), U.P., Prayagraj, he does not propose to file any response to the writ petition.

4. Considering the submission of the rival parties as well as the stand taken by them, the writ petition is being disposed of granting liberty to the writ petitioners to approach the second respondent, Director of Education (Madhyamik), U.P. Prayagraj by filing a comprehensive representation along with self attested copy of the writ petition and on the receipt of the same the second respondent shall decide the entitlement of the writ petitioners strictly in accordance with law after putting to notice the writ petitioners and the institution where at the writ petitioners claimed to have been working within a period of three months from the date of production of certified copy of the order. If the second respondent

is of the opinion that the matter needs to be decided by any other authority then the papers be transmitted to it.

5. Passing of this order may not be construed to be an expression that this Court has adjudicated on the merits of the matter.

Order Date :- 20.11.2023

Rajesh