

Court No. - 36

Case :- WRIT - A No. - 17663 of 2023

Petitioner :- Sushila Devi

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

Counsel for Petitioner :- Omkar Nath Rai, Vinay Kumar Singh

Counsel for Respondent :- C.S.C., Bipin Bihari Pandey

Hon'ble Manjive Shukla, J.

1. Heard learned counsel appearing for the petitioner, learned Standing Counsel appearing for the Respondent No.1 and Sri Bipin Bihari Pandey, learned counsel appearing for the Respondents No.2 and 3.

2. Facts of the case, in brief, are that father of petitioner after working on the post of Head Master in Uchha Prathmik Vidyalaya Kolowar, Gram Bishunpur, Block Devkali, District Ghazipur, retired from service on 30.6.2000. Regular pension was sanctioned in favour of father of petitioner and after his death, mother of petitioner was granted family pension. Petitioner is a widow and was dependent on the earnings of her father and subsequently on family pension being paid to her mother.

3. Learned counsel appearing for the petitioner has submitted that after the death of her mother, petitioner has filed a representation before the District Basic Education Officer, Ghazipur on 24.4.2023, whereby she has requested for grant of family pension in her favour. Learned counsel appearing for the petitioner has argued that till date petitioner's claim for family pension has not been settled, which is resulting in lots of difficulties in her life.

4. On the other hand, Sri Bipin Bihari Pandey, learned counsel appearing for the Respondents No.2 and 3 has very fairly submitted that since petitioner has already represented her case before the District Basic Education Officer, Ghazipur, therefore ends of justice would be served if a direction is issued by this court to Respondent No.2 to consider and decide petitioner's representation within a fixed time frame.

5. 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 District Basic Education Officer, Ghazipur within fifteen days from today and if such representation is filed, Respondent No.2 is directed to consider and decide petitioner's representation by passing reasoned and speaking order within two months thereafter.

Order Date :- 3.11.2023

Salim