

Court No. - 35

Case :- WRIT - A No. - 17979 of 2023

Petitioner :- Ramzan Khan And 28 Others

Respondent :- Union Of India And Another

Counsel for Petitioner :- Ikram Ahmad, Asar Mukhtar

Counsel for Respondent :- A.S.G.I., Abrar Ahmad

Hon'ble Vikas Budhwar, J.

1. On the oral request of learned counsel for the writ petitioners, he is permitted to make District Minority Welfare Officer, Jhansi as third respondent.

2. Heard Shri Ikram Ahmad, learned counsel for the writ petitioners who are 29 in number and Shri Shailendra Singh, learned Standing Counsel who appears for respondent Nos. 2 and 3, notice on behalf of the first respondent has been accepted by Abrar Ahmad.

3. The case of the writ petitioners is that they are the teachers in modern subjects in Madarsa and teaching the subject Science, Math, English, Hindi, Computer, Science Social, Study, General Knowledge etc. It is the case of the writ petitioners that the Union of India along with the State Government introduced a scheme for providing quality education in Madarsa and the said scheme was funded both by Central Government and State Government. As per the writ petitioners, there are two brackets of payment of honorarium, one being Rs. 12,000/- per month for the teachers having the degree of post graduate or graduate with B.Ed. and Rs. 6,000/- for the teacher who having the degree of graduates. It is further the case of the writ petitioners that Government orders have been issued enhancing the honorarium to the tune of Rs. 3,000/- and 2,000/- respectively.

4. The grievance of the writ petitioners is that the writ petitioners have not paid arrears of honorarium for the Session 2017-18 to 2020-21. Prayer in the present petition is for a direction for the payment of the honorarium.

5. Shri Shailendra Singh, learned Standing Counsel who appears for respondent Nos. 2 and 3 submits that the issue as to whether the writ petitioners were actually entitled for honorarium is to be

decided at the first instance by the third respondent and according to him, the writ petitioners may represent his cause before the third respondent who shall address to the said issue. He further submits that he does not propose to file any response to the writ petition

6. To such a submission, learned counsel for the writ petitioners has no objection and gracefully accept the same.

7. Considering the submission of the parties as well as stand taken by them, the writ petition is being disposed of granting liberty to the writ petitioners to prefer a comprehensive representation along with self attested copy of the writ petition before the third respondent who shall on the receipt of the same thereafter proceed to decide the entitlement of the writ petitioners, strictly in accordance with law, bearing in mind not only the government orders providing for the same as well as the working of the writ petitioners and their entitlement also. The said exercise is to be undertaken within a period of three months from the date of production of the certified copy of the order.

8. With the aforesaid observations, the writ petition stands **disposed off**.

9. Needless to point out that this court has not adjudicated the matter on the merits.

Order Date :- 27.10.2023

A. Prajapati