

Court No. - 35

Case :- WRIT - A No. - 17762 of 2023

Petitioner :- Mohd. Shamim Khan

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

Counsel for Petitioner :- Amar Singh Yadav, Dilnawaz Ahmad Khan

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar, J.

The case of the writ petitioner is that he was appointed as a temporary Chowkidar and was made permanent on 1.7.1984 and he tendered his resignation on 7.11.1994. He seeks payment of provident fund.

Sri Saurabh learned Standing Counsel who appears for respondents submits that the pleadings are thoroughly inadequate so as to suggest as what transpired from the year 1994 till date and the in absence of any factual background laid down in the writ petition a positive mandamus cannot be issued. He further submits that it is always open for the writ petitioner to approach the District Inspector of Schools, Azamgarh or any other authority competent in this regard.

Considering the submission of Sri Saurabh learned Standing Counsel the writ petition stands disposed off 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, Azamgarh or any other authority competent in that regard who shall do the needful as per provisions after putting to notice the institution in question and the affected parties within a period of two months from the date of presentation of the certified copy of the order.

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

Order Date :- 20.11.2023

piyush