

Court No. - 36

Case :- WRIT - A No. - 18437 of 2023

Petitioner :- Smt Suman

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Ram Shiromani Yadav, Chandra Bhushan Yadav, Krishna Pratap Yadav

Counsel for Respondent :- C.S.C., Nagendra Kumar Pandey

Hon'ble Manjive Shukla, J.

Re: Civil Misc. Impleadment Application No. 04 of 2023.

1. Sri Abhishek Yadav has filed an application for his impleadment in this writ petition as Respondent No. 7.
2. Learned counsel appearing for the petitioner does not have any objection if the said impleadment application is allowed.
3. Application for impleadment is **allowed**.
4. Let the applicant be impleaded as Respondent No. 7 in the writ petition during course of the day.

Order on Writ Petition

5. Heard learned counsel appearing for the petitioner, learned Standing Counsel appearing for the Respondents No. 1 to 3, Sri Nagendra Kumar Pandey, learned counsel appearing for the Respondents No. 4 to 6 as well as Sri Krishna Pratap Yadav, learned counsel appearing for the newly impleaded Respondent No. 7.

6. Petitioner has filed this writ petition praying therein for a direction from this court thereby commanding the respondents to pay death-cum-post retiral dues of her husband.

7. This court, after hearing parties' counsels, passed a detailed order on 2.11.2023. Thereafter this matter was listed on 9.11.2023 and on the said date, following order was passed:-

"1. Sri Krishna Pratap Singh, learned Advocate has submitted that he has prepared an application for impleadment on behalf of the adopted son of late Devendra Singh and he wish to file the same, therefore he may be granted some time to file the application for impleadment.

2. Sri Krishna Pratap Singh, learned Advocate may file application for impleadment in the Registry of this court.

3. *Learned counsel appearing for the District Basic Education Officer, Sambhal has submitted that the District Basic Education Officer, Sambhal has taken cognizance of the matter and he has given instructions that within three weeks all the death-cum-retiral dues of late Devendra Singh shall be cleared of and will be paid to the persons legally entitled for the same.*

4. *In view of the aforesaid undertaking given by the learned counsel appearing for the District Basic Education Officer, Sambhal, list this matter on 29.11.2023 as fresh."*

8. Today, Sri Nagendra Kumar Pandey, learned counsel appearing for the Respondents No. 4 to 6 has submitted that so far as the payment of family pension is concerned, petitioner is entitled for family pension and therefore, the matter was forwarded to Additional Director, Treasury and Pension, Moradabad Division, Moradabad and he has issued a family pension payment order on 1.11.2023. Family pension payment order has been forwarded to Treasury Officer, Sambhal and the payment of family pension shall be made to the petitioner.

9. Learned counsel appearing for the petitioner has admitted that petitioner has received all the post retiral dues which were admissible to her.

10. Learned counsel appearing for the Respondent No. 7 has also admitted that Respondent No. 7 has also received all dues admissible to him as per his share.

11. In view of the aforesaid submissions advanced by the learned counsels appearing for the parties, this writ petition is finally **disposed of** with a direction to the Treasury Officer, Sambhal to start the payment of family pension to the petitioner forthwith.

Order Date :- 4.12.2023

n.u.