

Court No. - 34

Case :- WRIT - A No. - 18288 of 2023

Petitioner :- Shiv Narayan

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

Counsel for Petitioner :- Arun Kumar Tripathi

Counsel for Respondent :- C.S.C.

Hon'ble Ajit Kumar,J.

The petitioner who has retired as Head Constable from PAC 42 Batallion on 31st January, 2023. He has only been paid interim pension for a period of six months and also some amount as interim gratuity. The petitioner claims that he is entitled to all the post retirement dues which are admissible in law. It is claimed vide paragraph 13 of the writ petition that neither any disciplinary proceeding has been initiated against him, nor he is convicted in any criminal case and so he is entitled to unpaid post retirement dues which are withhold by the respondents. He claims to receive only 90 per cent amount towards GPF .

Learned Standing Counsel submits that the matter can be directed to be examined in the first instance by the competent authority in the matter as it involves factual controversy.

In view of above, this petition stands disposed of with direction to the concerned competent authority, namely respondent no. 3 that in the event any grievance is raised by means of representation within a period of four weeks from today regarding claim of the petitioner for remaining post retirement dues that have remained unpaid, the claim of the petitioner may be considered and disposed of by respondent no. 3 within a period of next two months.

Order Date :- 1.11.2023

Sanjeev