

Court No. - 35

Case :- WRIT - A No. - 19474 of 2023

Petitioner :- Fakhrul Islam Siddiqui

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

Counsel for Petitioner :- Lakshmi Kant Trigunait

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar,J.

1. Heard Sri L.K. Trigunait, learned counsel for the writ petitioner as well as Sri Vinod Kumar Singh, learned Standing Counsel who appears for respondents No. 1 to 6.

2. The case of the writ petitioner is that his wife late Ishwar Sultana who was working as Assistant Teacher expired on 28.12.2021. It is also the case of the writ petitioner that he is entitled to the payment of family pension, death-cum-gratuity, group insurance and other retiral benefits but the same has not been extended.

3. Prayer in the present petition is for direction to the respondents to ensure payment of family pension, death gratuity, group insurance and other retiral benefits.

4. Sri Vinod Kumar Singh, learned Standing Counsel who appears for the respondents submits that the issues which the writ petitioner is seeking to raise needs determination at the first instance by the third respondent, Deputy Director of Education, Prayagraj and the writ petitioner may approach the third respondent to represent his cause who shall consider the claim of the writ petitioner. He submits that he does not propose to file any response to the writ petition.

5. Considering the submission of the rival parties as well as the stand taken by them, the writ petition is being disposed of without seeking any response from the respondents while granting liberty to the writ petitioner to prefer a comprehensive representation before the third respondent, Deputy Director of Education, Prayagraj who shall thereafter proceeded to decide the claim of the writ petitioner after putting to notice the writ petitioner, institution where at the writ petitioner claims to have been working within a period of two months from the date of production of certified copy of the order.

6. With the aforesaid observations, the writ petition stands disposed of.

Order Date :- 23.11.2023/Rajesh