

Court No. - 35

Case :- WRIT - A No. - 18295 of 2023

Petitioner :- Shree Ram

Respondent :- Union Of India And 5 Others

Counsel for Petitioner :- Kaushal Kishor

Counsel for Respondent :- A.S.G.I., Hem Pratap Singh

Hon'ble Vikas Budhwar, J.

1. Parcha filed on behalf of Neelam Devi is taken on record.
2. Heard Sri Kaushal Kishor, learned counsel for the writ petitioner, Ms. Neelam Devi, learned counsel who appears for respondent No. 1, Sri Shailendra Tiwari (AOR A/S 0220/2019) holding brief of Sri Hem Pratap Singh, learned counsel who appears for respondents No. 2 to 6.
3. The case of the writ petitioner is that he was appointed on the post of Games Servant (Peon) in the Banaras Hindu University, University Sports Board, Varanasi on 01.04.1980 and he superannuated on 31.10.2020, however, post superannuation his tenure was extended and he was allowed to function, he claims remuneration for the said period post retirement in that regard.
4. Prayer in the present petition is for a direction to the respondents to release the salary of the writ petitioner against the work discharged by the writ petitioner as Daily Wager on the post of Games Servant (Peon) on the basis of extension of services after retirement of the writ petitioner for the intervening period with effect from 23.11.2020 till 18.01.2023.
5. Sri Shailendra Tiwari holding brief of Sri Hem Pratap Singh, learned counsel who appears for respondents No. 2 to 6 submits that the issue which the writ petitioner seeking to raise needs determination at the first instance by the fourth respondent, Joint Registrar, Administration, (Non-teaching employee), Banaras Hindu University, Varanasi who shall address the claim of the writ petitioner he submits that let the writ petitioner represent his cause before the fourth respondent.
6. To such a submission, learned counsel for the writ petitioner has no objection and he gracefully accepts the same.

7. Considering the submission of the rival parties as well as the stand taken by them, the writ petition is being disposed of granting liberty to the writ petitioner to approach the fourth respondent by filing a comprehensive representation along with self attested copy of the writ petition and on the receipt of the same the fourth respondent shall decide the entitlement of the writ petitioner strictly in accordance with law within a period of six weeks from the date of production of certified copy of the order, in case, the fourth respondent is of the opinion that the matter needs to be addressed by any other authority then the paper be transmitted to it.

8. With the aforesaid observation, the writ petition stands disposed of.

9. Passing of this order may not be construed to be an expression that this Court has adjudicated on the merits of the matter.

Order Date :- 1.11.2023

Rajesh