

Court No. - 34

Case :- WRIT - A No. - 18406 of 2023

Petitioner :- Munish Kumar Tiwari

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Deo Prakash Singh

Counsel for Respondent :- CSC

Hon'ble Ajit Kumar,J.

Heard learned counsel for the parties.

Petitioner, who has retired from the post of Assistant Clerk in the office of District Basic Education Officer, is claiming benefit of leave encashment. He has placed reliance upon the judgment of this Court in the case of Ramesh Chandra Pachauri v. State of U.P. & Others (Writ - A No. 51555 of 2017) disposed of on 03.11.2017 and a recent direction issued by this Court in one Phool Chandra Mishra & Ors (Writ - A No. 29685 of 2015).

Petitioner claims to have represented the matter to the District Basic Education Officer on 08.10.2018, however, nothing has been done in the matter.

Learned Standing Counsel submits that he has no objection in the event this petition stands disposed of with a direction to the respondent no. 3 to look into and consider the grievance of the petitioner and pass appropriate order strictly in accordance with law.

In view of the above, this petition stands **disposed of** with a direction that respondent no. 3 shall consider the grievance of the petitioner raised in his representation dated 08.10.2018 and decide the same within a period of two months from the date of receipt of certified copy of this order and if the petitioner is found entitled for leave encashment, the said benefit may be extended to him. Proper decision shall be taken within two months from the date of production of certified copy of this order..

Needless to add that the order to be passed by the competent authority, as directed herein above, shall be reasoned and speaking one.

Order Date :- 2.11.2023

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