

Court No. - 35

Case :- WRIT - A No. - 18471 of 2023

Petitioner :- Harindra Bahadur Singh

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Girja Shanker Mishra,Pratiksha Rai

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar,J.

The case of the writ petitioner as worded in the writ petition is that he was appointed as an Assistant Clerk on 17.11.1984 in Smt. Gujrati Devi Singhel Mahila Inter College, Fatehpur, Mau and he retired on 31.12.2022.

According to the writ petitioner he was entitled to fixation of pension on the basis of the Grade Pay Rs.4600/- which he was receiving at the time of the retirement however, the same has been reduced to Rs.4200/- and recovery has been directed to be made.

Prayer in the present petition is for making for payment of pension according to Rs.4600/- grade pay.

Sri Dhirendra Singh, learned Standing Counsel submits that the issue as to whether the writ petitioner is entitled to the same needs determination at the first instance by the Deputy Director of Education (Secondary) Azamgarh Region, Azamgarh, third respondent let the writ petitioner represents his cause before the third respondent. He further submits that he does not propose to file any response to the writ petition.

Considering the submissions of the rival parties as well as stand taken by them, the writ petition is being disposed off without seeking any response from the respondents granting liberty to the writ petitioner to prefer a comprehensive representation along with the self-attested copy of the writ petition before the third respondent, Deputy Director of Education (Secondary) Azamgarh Region, Azamgarh, who shall on the receipt of the same, put to notice to the institution in question and writ petitioner and thereafter proceed to decide the claim of the petitioner strictly in accordance with law within a period of three months from the date of production of the certified copy of the order.

Needless to point out that the writ petition has been decided without seeking any response from the respondents. Thus, passing of this order may not be construed to an expression that this Court has gone into the merits of the case.

With the aforesaid observation, the writ petition is **disposed off**.

Order Date :- 16.11.2023

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