

Court No. - 35

Case :- WRIT - A No. - 18596 of 2023

Petitioner :- Dr. Madhuri Singh

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

Counsel for Petitioner :- Indra Raj Singh, Adarsh Singh

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar, J.

Sri Adarsh Singh, learned counsel for the petitioner, in its usual fairness has submitted that he has earlier filed Writ-A No. 27 of 2023, whereby the relief was sought for the payment of revised pay-scale as per 7th Pay Commission and also Group Insurance.

In the said writ petition, on 24.01.2023, the following orders have been passed: -

"The petitioner has preferred the present petition inter-alia with the prayer to consider the claim of the petitioner for payment of revised pension as per 7th pay scale along-with the arrears and other dues including Group Insurance etc.

Pursuant to the order passed by this Court, instructions received from the office of Director of Higher Education, U.P. Prayagraj dated 19.01.2023 is placed before this Court, the same is taken on record.

It is stated in the aforesaid instructions that the revised pay scale of the petitioner as per 7th Pay Commission has already been revised and difference of salary in this regard namely sum of Rs.20,61,226/- has already been paid to the petitioner on 18.01.2023, insofar as the Group Insurance is concerned, it is stated that necessary action be taken in this regard by the institution itself.

After going through the aforesaid, a prayer has been made by the counsel for the petitioner that the relief sought has already been granted to the petitioner, therefore, no further orders are required to be passed.

Accordingly, the writ petition is dismissed, insofar as the Group Insurance amount is concerned, the Management of the Institution in question is directed to forward the necessary papers and documents along-with certified copy of this order before the concerned competent authority within a period of two weeks from today. If it is so, the concerned competent authority is directed to pass appropriate order on the same in accordance with law within a period of four weeks thereafter. "

On a specific query being raised to the learned counsel for the writ petitioner as to whether the papers have been forwarded by the

Committee of Management to the competent authority, he has made a statement at Bar that the papers are still lying with the Committee of Management.

Prayer in the present petition is for a direction to the second respondent, Director of Higher Education, U.P., Prayagraj to consider the claim of the writ petitioner to consider the payment of Group Insurance Scheme, withheld computation of pension along with penal interest @ 18% per annum.

Sri Shukla, learned Standing Counsel, who appears for Respondent Nos. 1, 2 and 3 submits that in case, the writ petitioner is entitled for the said benefit that as per the order passed on 24.01.2023 in Writ-A No.27 of 2023, the Committee of Management ought to have forwarded the said documents. He submits that though might be a writ petition may not be maintainable, however, it is open for the writ petitioner to approach the second respondent, Director of Higher Education, U.P., Prayagraj, who shall do the needful.

Since a statement has been made, let the writ petitioner approach the second respondent, Director of Higher Education, U.P., Prayagraj, who in the opinion of the Court has to act strictly in accordance with law.

Accordingly, the writ petition is **consigned to record**.

Order Date :- 2.12.2023

N.S.Rathour