

Court No. - 35

Case :- WRIT - A No. - 18449 of 2023

Petitioner :- Gauri Shankar Vishwakarma

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

Counsel for Petitioner :- Chandra Prakash Tiwari

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar,J.

Heard Sri Chandra Prakash Tiwari, learned counsel for the petitioner and Sri S.K. Mishra, learned Standing Counsel, who appears for respondents 1, 2 and 3.

In view of the order, which is being proposed to be passed today, notices are not being issued to the fourth respondent.

The case of the writ petitioner is that he was appointed as Clerk/Parichalak on 1.12.1983 in the fourth respondent institution, Shri, Durga Sanskrit Maha Vidhyalay Mahoba Tehsil-Mahoba, District Mahoba and he superannuated on 31.12.2021. The writ petitioner has been paid pension however he has not been paid GPF amount being Rs.12,62,598.00 and One lakh rupees which was liable to be paid as grade pay.

Prayer in the present petition is for according the said benefits.

Learned Standing Counsel who appears for the respondents has invited the attention of the Court towards page 10 which happens to be a communication of the second respondent, Deputy Director of Education (Madhyamik) Jhansi Division, Jhansi whereby an amount of Rs.12,62,598.00 has been determined. He submits that the grievances with the writ petitioner seeks to raise can be addressed by the second respondent itself. According to him the writ petitioner may represents his cause before the second respondent. He further submits that he does not propose to file any response to the writ petition.

To such a submission, learned counsel for the petitioner has no objection and he gracefully accepts the same.

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 second respondent, Deputy Director of Education (Madhyamik) Jhansi Division, Jhansi who shall on the receipt of the same, put to notice to the fourth respondent and thereafter proceed to decide the claim of the petitioner strictly in accordance with law within a period of two months from the date of presentation 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 :- 2.11.2023

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