

Court No. - 35

Case :- WRIT - A No. - 18822 of 2023

Petitioner :- Kartal And 23 Others

Respondent :- State Of U.P. And 7 Others

Counsel for Petitioner :- Santosh Kumar Pandey,Ritikesh Pandey

Counsel for Respondent :- C.S.C.,Shibli Naseem

Hon'ble Vikas Budhwar,J.

1. This case has been nominated to this Court by the order of the Hon'ble Acting Chief Justice.

2. Heard Sri Santosh Kumar Pandey, learned counsel for the writ petitioner as well as Sri P.K. Shahi, learned Additional Chief Standing Counsel who appears for respondents No. 1, 2, 4 and 5 and Sri Shibli Naseem, learned counsel who appears for respondent No. 3.

3. In view of the order which is being proposed to be passed, notices are not being issued to respondents No. 6 and 8.

4. The case of the writ petitioners is that so far as the writ petitioners No. 1 to 13 are concerned they are permanent sweepers in the Nagar Palika Parishad Pandit Deen Dayal Upadhyay Nagar (Mughalsaray) Chandauli and petitioners No. 14 to 24 are concerned they are contract Sweepers appointed by the Nagar Palika Parishad and so far as petitioners No. 4 to 24 are concerned they are contract sweepers appointed by Nagar Palika Parishad. The writ petitioners claim that pursuant to the Government Orders issued from time to time as well as the scheme applicable therein they are entitled arrears of salary for the month of August, 2023 till date along with arrears of bonus from the financial year 2020-21 2021-22, 2022-23 2023-24 and arrears of dearness allowance. The learned counsel for the respondents as well as the counsel for the Nagar Palika Parishad, on the other hand, submits that the issues which the writ petitioner seeks to raise needs determination at the first instance by the District Magistrate, Chandauli, fourth respondent, he submits that let the writ petitioners represent their cause before the fourth respondent. They do not propose to file any response.

5. 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 who shall thereafter consider the claim of the writ petitioners strictly in accordance with law within a period of two months 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 decided by any other authority then the papers be transmitted to the said authority with due communication to the writ petitioners and further in the eventuality that certain inputs are required from the writ petitioners then they should be informed in writing so that decision be taken within the time stipulated hereunder.

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

Order Date :- 5.12.2023

Rajesh