

Court No. - 35

Case :- WRIT - A No. - 19493 of 2023

Petitioner :- Sabhajeet Singh Yadav (Dr.)

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Alok Kumar Yadav, Vashistha Dubey

Counsel for Respondent :- C.S.C., Shashi Prakash Rai

Hon'ble Vikas Budhwar, J.

1. Heard Shri Alok Kumar Yadav, learned counsel for the writ petitioner as well as learned counsel for the respondent No. 1 and Shri Shashi Prakash Rai, learned counsel for the respondent Nos. 2 and 3.

2. The case of the writ petitioner is that he was appointed on adhoc basis in lecturer in Philosophy on 30.09.1991 pursuant to the selection on 16.09.1991, he claims to have been regularised as a lecturer in Philosophy on 06.03.1998, he claims to have retired on 09.07.2021. Learned counsel for the writ petitioner has placed reliance upon Annexure 6 at page 48 being the document of the University dated 12.12.2005 so as to contend that once Shri Vishnu Dath Pandey who was also sailing of the same boat has been made admissible to the pensionary benefits as where as the writ petitioner has been derived the same.

3. Prayer in the present petition is for a direction to the respondents to consider the claim of the writ petitioner for pension.

4. Shri Shashi Prakash Rai, on the other hand, submits that the issues with the writ petitioner seeks to raise needs determination at the first instance by the second respondent, who shall address to the claim. He further submits that he does not propose to file any response.

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

6. 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, shall on the receipt of the same, 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. In case the second respondent is of the opinion that the matter needs to be addressed by some other authority then due communication be made to the writ petitioner and in case any inputs are required, the writ petitioner may be informed in advance in writing so as to facilitate early disposal of the case.

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

Order Date :- 2.12.2023

A. Prajapati