

Court No. - 47

Case :- WRIT - A No. - 19874 of 2023

Petitioner :- Sachchidanand Chaudhary

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Kanhaiya Lal

Counsel for Respondent :- C.S.C., Ravi Kumar Shukla

Hon'ble Manish Kumar Nigam, J.

1. Heard learned counsel for the parties and perused the record.

2. This writ petition has been filed for following relief:

"(i) issue a writ, order or direction in the nature of MANDAMUS directing the Respondent no. 3 & 4 i.e. The Executive Officer, Nagar Palika Parishad, District Basti & The Chairman, Nagar Palika Parishad, District Basti to consider and decide the grievance of the petitioner, which is pending in the office of respondent no. 3 as interest for arrear of revise of pension at the rate of 18% in pursuance of Letter No. 5766/N.P.P.B/ Pension Anu. 2018-19 dated 13.12.2019 expeditiously within stipulated period as may be fixed by this Hon'ble Court."

3. Contention of the learned counsel for the petitioner is that after the death of the father of the petitioner on 15.07.2012 who was working as a senior clerk, the family pension was not paid to the mother of the petitioner and ultimately after an order passed by this Court family pension was paid after ten years but the arrears of pension was not paid. The mother of the petitioner was also died on 08.06.2022. During her lifetime, his mother moved several representations for release of arrears of family pension to her but no action has been taken by the respondent authorities. It is further contended by learned counsel for the petitioner that in this regard petitioner has filed a representation on 22.08.2023 which is not being decided.

4. No useful purpose would be served in keeping this petition pending.

5. Considering the facts and circumstances of the case, without expressing any opinion on the merits of the case, the present petition stands disposed of finally with a direction to respondent

No. 3 /The Executive Officer, Nagar Palika Parishad, District Basti to consider the grievance of the petitioner who happens the son of the deceased employee and decide the aforementioned representation filed by the petitioner on 22.08.2023, in accordance with law, expeditiously, preferably within a period of **three months** from the date of production of a certified copy of this order after giving opportunity of hearing to the parties concerned and without granting unnecessary adjournments to either of the parties provided that there is no other legal impediment.

6. It is made clear that this Court has not examined the matter on merits.

Order Date :- 6.12.2023

Ved Prakash

(Manish Kumar Nigam, J.)