

Court No. - 35

Case :- WRIT - A No. - 20236 of 2023

Petitioner :- Mahendra Nath

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

Counsel for Petitioner :- Prabhat Kumar Singh, Shivendra Bahadur Singh

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar, J.

1. Heard Sri Prabhat Kumar Singh, learned counsel for the writ petitioner and Dr. Santosh Kumar Shukla, learned Additional Chief Standing Counsel who appears for respondents No. 1 to 5.

2. The writ petitioner claims that he is superannuated on 31.07.2023 from the institution being Cutting Memorial Inter College, District Varanasi on the post of Peon according to him, he is entitled to payment of gratuity, group insurance including monetary pension post retirement gratuity. He seeks to rely upon a document which is being Page 15 of the paper book which happens to be under the signature of Deputy Director of Education, Madhyamic, 5th Mandal Varanasi.

3. Dr. Santosh Kumar Shukla, learned Additional Chief Standing Counsel, on the other hand, submits that the issue which the writ petitioner seeks to raise needs determination by the second respondent, Deputy Director of Education, Varanasi Region Varanasi the writ petitioner may represent his cause before the second respondent who shall take appropriate decision in that regard. He does not propose to file any response to the writ petition.

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

5. Considering the submissions of the rival parties as well as stand taken by them, the writ petition is being disposed of 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 Varanasi Region, Varanasi who shall on the receipt of the same, decide the

entitlement of the petitioner strictly in accordance with law within a period of two months from the date of production of the certified copy of the order.

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

Order Date :- 13.12.2023

Rajesh