

Court No. - 35

Case :- WRIT - A No. - 20695 of 2023

Petitioner :- Smt. Suman Srivastava

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

Counsel for Petitioner :- Sunil Dutt Kautilya, Satyavrat Sahai

Counsel for Respondent :- CSC

Hon'ble Vikas Budhwar, J.

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

The case of the writ petitioner is that she, who was working as an Assistant Teacher Government Girls Inter College, Prayagraj superannuated on 31.3.202. She has received all the retiral dues except Leave Encashment.

Prayer in the present petition is for a direction to pay the leave encashment amount along with 18% interest.

Sri S.K. Mishra learned Standing Counsel submits that the issue with the writ petitioner seeks to raise needs determination at the first instance by the Deputy Director of Education (Mahila), Directorate of Education UP Prayagraj who shall address to the claim of the writ petitioner. According to the learned Standing Counsel he does not propose to file any response to the writ petition.

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 approach the third respondent, Deputy Director of Education (Mahila), Directorate of Education UP Prayagraj within a period of two weeks from today and on the receipt of the same the third respondent shall decide the claim of the writ petitioner within a further period of three weeks thereafter. In case the third respondent is of the opinion that the matter needs to be addressed by any other authority then due communication be made to the writ petitioner and in case any inputs are required that the writ petitioner be informed so as to facilitate the early disposal of the claim within the time stipulated.

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 of**.

Order Date :- 14.12.2023

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