

Court No. - 35

Case :- WRIT - A No. - 20328 of 2023

Petitioner :- Deepa Verma

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

Counsel for Petitioner :- Akhilesh Kumar

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar,J.

1. Heard Sri Akhilesh Kumar, learned counsel for the writ petitioner as well as Sri Santosh Kumar Mishra, learned Standing Counsel who appears for respondent nos. 1 to 4.

2. In view of the order which is being proposed to be passed, notices are not being issued to the respondent no. 5.

3. The case of the writ petitioner is that he was engaged on the post of Atithi Vishay Vishashgya in S.D. Kanya Inter college with effect from 1.7.1992. The services were being disrupted so he preferred Writ No. 5654 of 2000, in which interim order was passed and thereafter the said writ petition was dismissed in default, however, the same was restored. The writ petitioner submits that since 2015 he is not been paid his honorarium.

4. Prayer in the present writ petition is for payment of the honorarium.

5. Learned Standing Counsel, on the other hand, submits that issue seeks to raise including the factum of dismissal of the writ petition in default and restoration of the same needs determination at the first instance by respondent no. 4, District Inspector of Schools, Saharanpur. The writ petitioner may approach the said authority. He further submitted that he does not propose to file any response to the writ petition.

7. Considering the submission of rival parties as well as stand taken by them, the writ petition is being disposed granting liberty to the writ petitioner to approach the respondent no. 4, while filing comprehensive representation along with the self attested copy of the writ petition, who on the receipt of the same shall put to notice respondent no. 5 as well as the writ petitioner and decide the same within a period of two months from the date of production of

certified copy of this order, in accordance with law.

8. Needless to point out that this Court has not adjudicated on the merits of the case.

Order Date :- 7.12.2023

S.A.