

**Court No. - 35**

**Case :-** WRIT - A No. - 20634 of 2023

**Petitioner :-** Ram Kishun Dubey

**Respondent :-** State Of U.P. And 5 Others

**Counsel for Petitioner :-** Ram Sajivan Tripathi, Ashok Kumar Pandey

**Counsel for Respondent :-** C.S.C.

**Hon'ble Vikas Budhwar, J.**

Heard Sri Ram Sajivan Tripathi, learned counsel for the petitioner and Sri P.K. Shahi, the learned Addl. Chief Standing Counsel, who appears for Respondents 1 to 4.

In view of the order, which is being proposed to be passed today, notices are not being issued to the 5th and 6th respondents.

The case of the writ petitioner is that he was appointed as Assistant Teacher on ad hoc basis in the respondent-Institution, Gajadhar Intermediate College, Laxmanpur, Pratapgarh, District Pratapgarh on 23.11.1990. He superannuated on 31.03.2020. However, he has not been paid arrears of selection Grade-Pay from 23.11.2000 to 01.06.2017, promotion Grade-Pay since 22.11.2002 to 22.07.2017 totalling to Rs.2,67,920/-.

Prayer in the present petition is for according the said benefits.

Sri Shahi, learned Addl. Chief Standing Counsel submits that the issue which the petitioner seeks to raise needs determination at the first instance by the second respondent, Joint Director of Education, Allahabad Division Allahabad, who shall address to the claim of the writ petitioner. He further submits that he does not propose to file any response to the writ petition.

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

Considering the submission of the rival parties as well as the 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 approach the second respondent, Joint Director of Education, Allahabad Division Allahabad/ Prayagraj along with a comprehensive representation accompanied with self-attested copy of the writ petition, who shall, on the receipt of the same, put to notice the fifth and sixth respondents to decide the claim of the

writ petitioner within a period of three months from the date of production of 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, papers be transmitted to it with due intimation to petitioner and the fifth and sixth respondents.

The question of interest shall also be determined.

With the aforesaid observations the writ petition stands **disposed off**.

**Order Date :- 14.12.2023**

N.S.Rathour