

Court No. - 7

Case :- WRIT - A No. - 14986 of 2017

Petitioner :- Bajrang Bahadur Lal Srivastava

Respondent :- State Of U.P. Thru Prin.Secy.Nagar Vikas Civil Sectt. And Ors.

Counsel for Petitioner :- Satya Prakash Mishra

Counsel for Respondent :- C.S.C.,I.P. Singh,Rishabh Kapoor

Hon'ble Abdul Moin,J.

Heard learned counsel for the petitioner, learned Standing Counsel and Shri Rishabh Kapoor, learned counsels appearing for the respondents.

At the very outset, learned counsel for the petitioner prays for and is permitted to implead U.P. Jal Nigam (Rural) through its Managing Director, Lucknow and the Chief Engineer, U.P. Jal Nigam (Rural), Lucknow as respondents no. 6 and 7 respectively during the course of the day.

With the consent of learned counsel appearing for the contesting parties, the writ petition is being finally decided.

The instant writ petition has been filed praying for following main reliefs:

"(i) Issue a writ, order or direction in the nature of mandamus directing the opp. parties to pay the retiral dues to the petitioner like as gratuity, insurance alongwith arrears of pension unpaid since 30-6-1998 to 20-5-2014 @ 18% per annum expeditiously.

(ii) Issue a writ, order or direction in the nature of mandamus directing the opp. parties to provide the benefit of revised pay scale to the petitioner and accordingly determining his pension after revising by paying its arrears expeditiously.

(iii) Issue a writ, order or direction in the nature of mandamus directing the opp. parties to ensure the payment of arrears of salary to the petitioner remain unpaid since 1-10-1978 to 1-4-1984 promptly alongwith penal interest."

The contention of learned counsel for the petitioner is that despite the petitioner having retired on attaining the age of superannuation on 30.06.1998, the retiral dues of the petitioner like gratuity, insurance and arrears of pension have still not been paid to the petitioner.

After arguing the matter at some length, learned counsel for the

petitioner submits that with regard to the reliefs sought in the writ petition, the petitioner may be permitted to submit a fresh representation before the respondent no.7 i.e. Chief Engineer, U.P. Jal Nigam (Rural), Lucknow which may be directed to be decided within a time frame fixed by this Court to which learned Counsel for the respondents have no objection.

In view of the above, it is provided that in case the petitioner submits a representation within two weeks from today before respondent no.7 then respondent no.7 shall endeavour to decide the same by means of a reasoned and speaking order in accordance with law and the relevant rules within a further period of four weeks from the date of submission of the representation along with certified copy of this order.

With the aforesaid direction, writ petition is **disposed of**.

It is also provided that admissible dues shall also be paid to the petitioner during the aforesaid time.

It is made clear that this Court has not gone into the merits of the claim set forth by the petitioner.

Order Date :- 6.11.2023

J.K. Dinkar