

Court No. - 20

Case :- WRIT - A No. - 7748 of 2023

Petitioner :- Urmila Devi

Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Of Technical Education And 3 Others

Counsel for Petitioner :- Sharad Pathak

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur,J.

1. Heard learned counsel for petitioner and learned State Counsel appearing on behalf of opposite parties.

2. Petition has been filed seeking the following reliefs:-

"i. issue a writ order or direction in the nature of Mandamus commanding the opposite party no.1 to take decision in the matter, which has been referred to him by opposite party no.3 vide letter dated 01.06.2023, copy of which has been annexed as Annexure No.1 to the writ petition.

ii. issue a writ order or direction in the suitable nature modifying the pension order dated 27.10.2021 to the effect that the pension to be paid to the petitioner may be recalculated on the Grade pay of Rs. 6600/- considering the last salary drawn by the husband of petitioner and Leave Encashment be paid to the petitioner. Further the amount of Gratuity which is recovered may be paid alongwith the interest of 18% from the date it became due to the petitioner till the date of actual payment.

iii. issue a writ order or direction in the nature of Mandamus commanding the respondents to provide the copy of service book of the petitioner's husband to the petitioner and also the calculation sheet of GPF which has been paid to the petitioner.

iv. issue, other writ order or direction as is deemed fit and proper under the circumstances of the case....."

3. It has been submitted that recalculation of grade pay with regard to petitioner's late husband has been done by learned opposite parties after his demise, which could not have been done but since by means of letter dated 18.05.2023 as informed to the petitioner vide letter 01.06.2023, the aspect is pending consideration before State Government directions may be issued for its expeditiously disposal.

4. Considering innocuous prayer being made by learned counsel for petitioner and without entering into the merits of the case, opposite party No.1 i.e. Principal Secretary, Department of Technical Education, Government of U.P. Civil Secretariat, Lucknow is directed to consider and decide letter dated

18.05.2023 sent by Finance Comptroller, Technical Education Directorate, U.P. Kanpur within a period of six weeks from the date a certified copy of this order is produced before said authority

5. Petitioner is also granted liberty to represent before opposite party no.1 with regard to aforesaid aspect within a period of one week from today.

6. In case any such a representation is received by opposite party no.1, the same shall also be decided along with reference letter dated 18.05.2023 from the date of receipt of petitioner's representation

7. With the aforesaid observation, petition stands **disposed of**.

Order Date :- 10.10.2023

Subodh/-