

Court No. - 7

Case :- WRIT - A No. - 7704 of 2023

Petitioner :- Sita Devi

Respondent :- State Of U.P. Thru. Prin. Secy. Energy Lko. And 3 Others

Counsel for Petitioner :- Triloki Nath Yadav

Counsel for Respondent :- C.S.C.,Alok Saran

Hon'ble Abdul Moin,J.

1. Heard learned counsel for the petitioner, learned Standing Counsel for respondent no.1 and Sri Ashutosh Verma holding brief of Sri Alok Saran, learned counsel for respondents no.2 to 4.
2. Instant writ petition has been filed praying for a mandamus commanding the respondents to pay the family pension to the petitioner.
3. The contention of learned counsel for the petitioner is that the husband of the petitioner was working under the respondents who died on 24.07.2018. The petitioner claims herself to be the second wife of the deceased employee having allegedly got married after the death of the first wife in the year 2002.
4. On the other hand, Sri Ashutosh Verma holding brief of Sri Alok Saran, learned counsel for the respondents, states that as per the service records the name of the petitioner is not entered in the service records and as such it is not possible for the department to pay the family pension to the petitioner. It is also contended that the petitioner has already been informed about the same vide order dated 10.04.2023, a copy of which has been filed as Annexure-6 to the writ petition.
5. Accordingly, considering that as the name of the petitioner is not entered in the service records consequently it would not be proper to issue directions to the respondents to pay family pension to the petitioner.
6. The writ petition is accordingly disposed of leaving it open to the petitioner to pursue other remedy as may be available to her under law.

Order Date :- 10.10.2023

A. Katiyar