

Court No. - 7

Case :- WRIT - A No. - 7787 of 2023

Petitioner :- Suresh Yadav

Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Of Sugar Industry And Cane Development Lko. And 2 Others

Counsel for Petitioner :- Yogendra Mishra, Puneet Tripathi, Rakesh Kumar Tripathi, Ram Lakhan Yadav

Counsel for Respondent :- C.S.C., Indu Prakash Singh

Hon'ble Abdul Moin, J.

Heard learned counsel for the petitioner, learned Standing Counsel and Shri I.P. Singh, learned counsels for the respondents.

No notice be issued to respondent no. 3 taking into consideration the nature of order proposed to be passed.

The instant writ petition has been filed by the petitioner contending that despite he having retired attaining the age of superannuation on 31.01.2019 from the services of the respondent no. 2 he has still not been paid the retiral dues.

On the other hand, Shri I.P. Singh, learned counsel for the respondent no. 2 states that the service of the petitioner was merged with respondent no. 3 and as such it is the responsibility of respondent no. 3 to pay retiral dues to the petitioner.

Considering the aforesaid and as the payment of the retiral dues of the employee is involved who retired more than four years back, the writ petition is **disposed of** with a direction to the respondent no. 3 i.e. the Chairman, Uttar Pradesh Cooperative Sugar Mills Federation Ltd Provident Fund Trust, Lucknow to pay the admitted retiral dues of the petitioner in accordance with law and relevant rules which itself shall be paid within a period of two months from the date of receipt of a certified copy of this order provided there is no legal impediment.

While making the payment of retiral dues the respondents shall also consider payment of admissible interest to the petitioner.

It is made clear that this Court has not entered into the merits of the claims set forth by the petitioner but the order has been passed considering that the petitioner stands retired on 31.01.2019 and his service was merged with respondent no. 3 considering the statement as given by Shri I.P. Singh, learned counsel for the respondents.

Order Date :- 24.11.2023

J.K. Dinkar