

Court No. - 20

Case :- WRIT - A No. - 8030 of 2023

Petitioner :- Mohd. Daud Khan

Respondent :- State Of U.P. Thru. Prin. Secy. Medical And Health Lko.
And 2 Others

Counsel for Petitioner :- Vinod Kumar Pandey, Suyash Kumar Pandey

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur, J.

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

Petition has been filed seeking a direction to the opposite parties for payment of arrears of salary for the period 1st December, 2008 till 31st October, 2010 as fixed vide office order dated 29th January, 2022. Interest at the rate of 8% per annum has also been sought in terms of judgment and order dated 29th November, 2017 passed in writ petition No. 2258 (S/S) of 2013, which was earlier filed by petitioner.

It has been submitted that earlier the aforesaid petition had been filed by petitioner challenging an order dated 11th March, 2013 whereby salary for the period 1st October, 2007 till 31st October, 2010 was deducted on the allegation of unauthorized absence from service. Said petition was allowed vide judgment and order dated 29th November, 2017 fixing a time frame for payment of arrears with further provision that interest at the rate of 8% per annum would be payable in case payment was not paid within the time stipulated.

It is submitted that in pursuance thereof, the opposite parties have passed the order dated 29th January, 2022 but arrears still remain unpaid.

For the aforesaid grievance, the petitioner has already submitted a representation dated 16.3.2023. At present learned counsel for the petitioner restricts his prayer for a final decision with regard to same.

Considering innocuous prayer being made by learned counsel for petitioner and without entering into the merits of the case, opposite party No. 2 i.e. Chief Medical Officer, Unnao is directed to decide representation dated 16.3.2023 in the light of judgment and order dated 29th January, 2022 within a period of eight weeks from the date a certified copy of this order is submitted before him.

With the aforesaid observations, the writ petition stands **disposed of.**

Order Date :- 16.10.2023
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