

Court No. - 7

Case :- WRIT - A No. - 8551 of 2023

Petitioner :- Kodai Prasad And 2 Others

Respondent :- State Of U.P. Thru. Prin. Secy. Basic Education U.P. Lko. And 2 Others

Counsel for Petitioner :- Rayees Ahmad Khan

Counsel for Respondent :- C.S.C.,Rishabh Tripathi

Hon'ble Abdul Moin,J.

Heard learned counsel for the petitioners, learned Standing Counsel and Shri Rishabh Tripathi, learned counsels appearing for the respondents.

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 alleging that despite the father of the petitioners having died in harness on 30.08.2001 while working on the post of headmaster the death cum retirement benefit have not been paid to the petitioners.

The Court had required Shri Rishabh Tripathi, learned counsel for the respondents no. 2 and 3 vide order dated 03.11.2023 to seek instructions as to why the death cum retirement dues have still not been paid to the petitioners.

Today Shri Tripathi, learned counsel or the respondents informs that various letters have already been sent to the petitioners way back in the year 2004-05 but the petitioners failed to respond to the same. It is contended that as soon as the petitioners complete all formalities the retiral dues would be paid to them.

On the other hand, learned counsel for the petitioners states he is not aware as to whether any letter was ever sent by the respondents in this regard.

Considering the aforesaid, the writ petition is **disposed of** directing the concerned authorities i.e. District Basic Education Officer, Balrampur / respondent no. 2 to inform the petitioners within a period of two weeks for today as to the formalities required to be completed for payment of death cum retiral dues of their father. Upon the said letter being received the petitioners shall complete the formalities as are required to be completed in terms of the said letter within a period of four weeks from the date of receipt of the said letter. In case the formalities are completed to the satisfaction of the respondent no. 2 as per letter which has been issued by the respondent no. 2 in this regard then the dues as admissible to the petitioners on account of death of the petitioners father would positively be paid within a period of six weeks from the date the petitioners completes the said formalities.

Order Date :- 24.11.2023

J.K. Dinkar