

**Court No. - 20**

**Case :-** WRIT - A No. - 8645 of 2023

**Petitioner :-** Ajay Singh Katiyar

**Respondent :-** State Of U.P. Thru. Prin. Secy. Medical Health Family Welfare Services, Lko. And 2 Others

**Counsel for Petitioner :-** Savita Jain

**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:

*"(a) To issue a writ, order or direction in the nature of mandamus commanding and directing the Opp. parties to sanction the revised pension of the petitioner i.e. for the sum of Rs.31,100/- w.e.f. 01.05.2021 and also pay the arrear of pension expeditiously or within the time stipulated by this Hon'ble Court.*

*(b) To issue a writ, order or direction in the nature of mandamus commanding and directing the Opp. parties to release the sum of Rs.5,54,396/- towards the amount of gratuity along with interest expeditiously or within the time stipulated by this Hon'ble Court.*

*(c) To issue a writ, order or direction in the nature of mandamus commanding and directing the Opp. Parties to revise the gratuity and other post retiral dues of the petitioner on the basis of last pay drawn by him within a time stipulated by this Hon'ble Court.*

*(d)To award the cost of the petition in favour of the petitioner.*

*(e)To issue any other writ, order or direction in the nature and manner which this Hon'ble Court deems fit and proper in the circumstances of the case."*

3. It is submitted that earlier vide order dated 07.07.2021, recovery of Rs.5,54,396/- was directed from gratuity of petitioner. The said order was challenged in Writ A No.986 of 2022 which was allowed vide order dated 24.02.2022 quashing the recovery order but despite the same, benefits as required to be paid to petitioner have not yet been granted.

4. For the aforesaid grievance, petitioner has already submitted a representation but seeks liberty to file a fresh representation before concerned authority. At present learned counsel for petitioner restricts her prayer for a final decision with regard to same.

5. Considering innocuous prayer being made by learned counsel for petitioner and without entering into the merits of the case petitioner is granted liberty to file a fresh representation before opposite party No.2 i.e. Joint Director, Pension and Treasury, Kailashkunj, Faizabad Road, Lucknow. In case such a representation is filed, the same shall be considered and decided by a reasoned and speaking order within a period of eight weeks from the date a certified copy of this order is produced before the said authority.

6. In case petitioner is found entitled for the aforesaid relief, payment of same shall be ensured to him within a period of six weeks thereafter.

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

**Order Date :- 7.11.2023**

Subodh/-