

Court No. - 17

Case :- WRIT - A No. - 8862 of 2023

Petitioner :- Radha Devi

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Deptt Of Basic Education Civil Sectt. Lko And 2 Others

Counsel for Petitioner :- Ashish Kumar Pandey, Ashish Verma

Counsel for Respondent :- C.S.C., Kumar Ayush

Hon'ble Alok Mathur, J.

Heard Shri Ashish Verma, learned counsel for the petitioner, learned Standing Counsel appearing on behalf of opposite parties no.1 and 2 and Kumar Ayush, learned counsel appearing on behalf of respondent no.3.

It has been submitted by the learned counsel for the petitioner that the father of the petitioner Shri Ghanshyam Mishra was working as Head Master in Primary School, Akharpur Bujurg, Block Fakarpur, District Bahraich. It is stated that the father of the petitioner died on 15.6.1999 leaving behind his wife and three daughters and one son.

After the death of father, mother of the petitioner Smt. Madhuri was getting the family pension. Thereafter on 03.3.2015 mother of the petitioner also died.

It is in the aforesaid circumstances it has been submitted by the learned counsel for the petitioner that the petitioner who is unmarried daughter is entitled of family pension as per the provision of Uttar Pradesh Retirement Benefit Rules, 1961 as well as the pension scheme of 1965.

It has been submitted that the petitioner has been repeatedly giving representations to the respondents but the same has been kept pending and no decision has been taken, accordingly, in the aforesaid circumstances prayer has been made for giving direction to the respondents to consider and decide the representation of the petitioner dated 07.10.2023 contained in Annexure

- 7 to the writ petition.

Learned Standing Counsel does not object to the aforesaid prayer made by the learned counsel for the petitioner.

Accordingly, the present writ petition is disposed of with the direction to the District Basic Education officer, Bahdraich, i.e., opposite party no.3 to consider and decide the application of the petitioner dated 07.10.2023 expeditiously, say within a period of six weeks from the date a certified copy of this order is produced before him in accordance with law and communicate its decision to the petitioner.

Order Date :- 9.11.2023
mks

(Alok Mathur, J.)