

Court No. - 20

Case :- WRIT - A No. - 8956 of 2023

Petitioner :- Smt. Kusum Sharma

Respondent :- State Of U.P. Thru. Addl. Chief Secy./Prin. Secy. Forest Deptt. Lucknow And 5 Others

Counsel for Petitioner :- Balram Yadava,Rajesh Kumar Anand

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 a direction to opposite parties to consider petitioner's case for regularization with effect from the date when persons junior to petitioner have been regularized and to pay all such benefits which have been paid to her. Further prayer for payment of arrears of wages from the period 25.11.1992 till 25.10.2022 have also been made.
3. It has been submitted that earlier petitioner was engaged as workman with opposite parties on 01.01.1992 whereafter her services were dispensed with on 10.09.1995 as a daily wager which was challenged before the Labour Court in reference Case No.2 of 1997 and was allowed vide award dated 25.11.1999 holding petitioner's termination from service to be illegal. The said award was challenged by the employer in Writ Petition No.3482 (SS) of 2000 which was also dismissed on 20.02.2018. Special Leave Petition No.38805 of 2018 has been dismissed vide order dated 13.11.2018 whereafter petitioner's has been reinstated in service but the aforesaid benefits have not yet been made available to her.
4. For the aforesaid grievance, petitioner has already submitted a representation but seeks liberty to file a fresh representation before competent authority. At present learned counsel for petitioner restricts his 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 competent authority. 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. With the aforesaid observation, petition stands **disposed of**.

Order Date :- 18.11.2023

Subodh/-