

Court No. - 7

Case :- WRIT - A No. - 9682 of 2023

Petitioner :- Ganesh Shankar Mishra

Respondent :- State Of U.P. Thru. Prin. Secy. (Basic Education) Lko. And 3 Others

Counsel for Petitioner :- Srees Kumar Srivastava, Onkar Singh

Counsel for Respondent :- C.S.C., Abhinav Singh, Ran Vijay Singh

Hon'ble Abdul Moin, J.

1. Heard learned counsel for the petitioner, learned Standing Counsel for respondent no.1, Sri Ran Vijay Singh, learned counsel for respondent no.2, and Sri Abhinav Singh, learned counsel for respondents no.3 and 4.
2. With the consent of learned counsels for the parties, the writ petition is being decided finally.
3. Under challenge is the order dated 18.03.2023, a copy of which is Annexure-2 to the writ petition, passed by respondent no.3 per which he has only granted Rs.600/- per month as handicapped vehicle allowance to the petitioner instead of amount as stipulated in the Government Order dated 22.08.2019, a copy of which is Annexure-6 to the writ petition.
4. The contention of learned counsel for the petitioner is that once the aforesaid Government Order had been issued per which the earlier rates which were being paid had been enhanced consequently there cannot be any occasion for the respondent no.3 to have paid the lesser amount than what the petitioner is entitled.
5. On the other hand, learned counsels appearing for the respondents do not dispute the applicability of the Government Order dated 22.08.2019 pertaining to payment of the handicapped vehicle allowance to the petitioner.
6. Considering the aforesaid, the order impugned dated 18.03.2023, a copy of which is Annexure-2 to the writ petition, is quashed and the matter is remanded to respondents no.3 and 4 to pass afresh order pertaining to entitlement of the petitioner for handicapped vehicle allowance in accordance with the Government Order dated 22.08.2019.

7. Let such an order be passed within a period of six weeks from the date of receipt of a certified copy of this order.

8. The writ petition is accordingly disposed of.

Order Date :- 22.12.2023

A. Katiyar