

Court No. - 7

Case :- WRIT - A No. - 9019 of 2023

Petitioner :- Ram Jatan Gupta

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Basic Education U.P. Lko. And 5 Others

Counsel for Petitioner :- Bahar Ali, Najibul Ali

Counsel for Respondent :- C.S.C., Shailendra Singh Rajawat

Hon'ble Abdul Moin, J.

1. Heard learned counsel for the petitioner, learned Standing Counsel appearing for the respondents no.1 to 3, and Sri Shailendra Singh Rajawat, learned counsel appearing for respondents no.4 and 5.
2. No notice be issued to respondent no.6 taking into consideration the nature of order proposed to be passed.
3. With the consent of learned counsel for the parties, the writ petition is finally disposed off.
4. Instant writ petition has been filed praying for a mandamus commanding the respondents to pay gratuity and pension as per the 7th Pay Commission to the petitioner.
5. The contention of learned counsel for the petitioner is that despite the petitioner having retired on attaining the age of superannuation on 31.10.2012, his gratuity and pension as per 7th Pay Commission have still not been paid to him.
6. Learned counsel for the petitioner after arguing at some length submits that with regard to the relief sought in the writ petition, the petitioner may be permitted to submit a fresh representation before respondent no.4 which may be directed to be decided within a time frame fixed by this Court to which learned counsels for respondents have no objection.
7. In view of the above, it is provided that in case the petitioner submits a representation within two weeks from today before respondent no.4 then respondent no.4 shall endeavour to decide the same by means of a reasoned and speaking order within a further period of six weeks from the date of submission of the representation along with certified copy of this order.
8. With the aforesaid direction, writ petition is disposed off.

9. It is made clear that this Court has not gone into the merits of the case.

Order Date :- 22.11.2023

A. Katiyar