

Court No. - 20

Case :- WRIT - A No. - 9013 of 2023

Petitioner :- Ramdhani Yadav @ Ram Dhani

Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Revenue Lko. And 3 Others

Counsel for Petitioner :- Shesh Ram Mishra, Ajai Kumar, Shobhit Kumar Pandey

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 for payment of difference of leave encashment admissible to petitioner on account of second promotional pay-scale as calculated by opposite party no.4 vide letter dated 04.09.2019. Further prayer for interest on the arrears of difference of leave encashment has also been sought.
3. It has been submitted that petitioner superannuated from service on 31.12.2009 but leave encashment was not paid to him due to which he made a representation and the Sub Divisional Magistrate, Sadar District Raebareli vide letter dated 04.09.2019 admitted petitioner's due, which have however not been paid till date.
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 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 opposite party No.2 i.e. District Magistrate, Raebareli. In case such a representation is filed, the same shall be considered and decided by a reasoned and speaking order within a period of six 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 benefit, actual payment shall be ensured within a period of six weeks thereafter.
7. With the aforesaid observation, petition stands **disposed of**.

Order Date :- 22.11.2023

Subodh/-