

Court No. - 7

Case :- WRIT - A No. - 9165 of 2023

Petitioner :- Ram Shankar Prasad

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

Counsel for Petitioner :- Manushresth Misra,Ravindra Kumar Singh

Counsel for Respondent :- C.S.C.,Pankaj Patel,Shanker Lal

Hon'ble Abdul Moin,J.

1. Heard learned counsel for the petitioner, learned Standing Counsel appearing for the respondent no.1, Sri Shanker Lal, learned counsel for respondent no.2, and Sri Pankaj Patel, 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. Instant writ petition has been filed praying for a mandamus commanding the respondents to pay the withheld amount of leave encashment and to pay admissible interest thereon to the petitioner.
4. The contention of learned counsel for the petitioner is that despite the petitioner having retired on attaining the age of superannuation on 31.01.2021 the respondents have not paid leave encashment till date.
5. 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.
6. 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.
7. It is also provided that in case any amount is found due to the petitioner the same would also be paid to him within the

aforesaid period.

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 :- 29.11.2023

A. Katiyar