

Court No. - 8

Case :- WRIT - A No. - 9449 of 2023

Petitioner :- Laxmi Srivastava

Respondent :- State Agriculture Produce Markets Board, U.P. Thru. Secy. Kissan Mandi Bhawan And 3 Others

Counsel for Petitioner :- Anoop Kumar, Sandeep Kumar Srivastava, Vineet Srivastava

Counsel for Respondent :- Naresh Chandra Mehrotra

Hon'ble Pankaj Bhatia, J.

Heard learned counsel for the petitioner, Sri Naresh Chandra Mehrotra, learned counsel for the respondent nos. 2 to 4 and perused the material available on record.

The present writ petition has been filed by the petitioner alleging that after the retirement of the husband of the petitioner, the petitioner claimed the payment of retiral benefits, which was denied on the basis of an order dated 27.11.2021.

It is argued by the learned counsel for the petitioner that during the life-time of the petitioner's husband, who died on 03.04.2021, no order was passed. It is further argued that through the same order dated 27.11.2021, orders were passed in respect of five persons, one of the said person had approached this Court by filing Writ A No. 3041 of 2023 (Meera Srivastava Vs. State Agriculture Produce Markets Board through its Secretary, Kisan Mandi Bhawan and Others), wherein this Court vide its order dated 24.04.2023 had held that the order dated 27.11.2021 is arbitrary and was quashed in respect of the said these petitioner of that petition, further directions were issued for payment of benefits to the petitioners therein. It is informed that Special Appeal preferred against the said judgment dated 24.04.2023 has also been dismissed .

Considering the fact that in similar circumstances,

writ petition has already been allowed and the Special Appeal has also been dismissed, the matter has attained finality and as the foundation of the present petition is also the order dated 27.11.2021, the present writ petition also deserves to be allowed on the same reasoning and logic as contained in the judgment dated 24.04.2023 and upheld in appeal through its judgment dated 16.06.2023.

The writ petition is ***allowed***. The directions given by this Court in the judgment dated 24.04.2023 shall enure to the benefit of the present petitioner also.

Order Date :- 13.12.2023
Arun