

Court No. - 20

Case :- WRIT - A No. - 9684 of 2023

Petitioner :- Ajay Kumar Jaiswal And 6 Others

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Deptt. Of Revenue Civil Sectt. Lko And 6 Others

Counsel for Petitioner :- Rama Pati Shukla

Counsel for Respondent :- C.S.C.,Dipak Seth

Hon'ble Manish Mathur,J.

1. Heard learned counsel for petitioners and learned State Counsel for opposite party nos. 1 to 6 and Ms. Harshita Mohan, learned counsel holding brief of Mr. Dipak Seth Advocate for opposite party no. 7.

2. Petition has been filed seeking following relief:-

"(i) Issue a writ, order or direction in the nature of mandamus commanding the opposite parties to deduct the amount of GPF from the salary of the petitioners and make them able to get pension under the 'Old Pension Scheme'.

(ii) Issue a writ, order or direction in the nature of mandamus directing the opposite parties 02 and 03 to take decision on the recommendation made by the District Magistrate vide his letter dated 16.09.2021 and 20.06.2022 contained in Annexure Nos. 07 and 08 to the writ petition, within the time as is stipulated by this Hon'ble Court.

(iii) Issue other writ order or direction as is deemed fit and proper under the circumstances of the case.

(iv) Allow the writ petition with cost."

3. It has been submitted that petitioners were armed forces personnel who were subsequently absorbed in Government service in the Revenue Department on the post of Lekhpal but the aforesaid benefits are not being granted to them despite recommendation of the District Magistrate.

4. For the said grievance, petitioners have already submitted a representation but seeks liberty to file individual fresh representation which may be directed to be considered.

5. In view of innocuous prayer being made without entering into merits, liberty is granted to petitioners to file a fresh representation before opposite party no. 2 i.e. Board of Revenue, Uttar Pradesh, Lucknow or any other competent

authority who shall consider and decide the same within a period of eight weeks from the date a certified copy of this order is produced before the said authority along with fresh representation in the light of recommendations made by the District Magistrate.

6. With aforesaid observations and directions, the petition is finally **disposed of**.

Order Date :- 18.12.2023

Satish