Court No. - 20

Case :- WRIT - A No. - 9605 of 2023

Petitioner :- Vashudev Tiwari
Respondent :- State Of U.P Thru.Prin. Secy. Cooperative Deptt. And 3 Others
Counsel for Petitioner :- Manish Mani Sharma
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 following reliefs:

"I. Issue a writ, order or direction in the nature of Mandamus directing and commanding the Opp. Party no.1 i.e. Principal Secretary, Co-operative Department, Lucknow to treat the Petitioner a government servant from his initial date of appointment for payment of pension and other service benefit in terms of judgement and order dated 20.03.2001 passed by Hon'ble Supreme Court in case of Civil Appeal no.8467 of 1995; State of U.P. Versus Chandra Prakash Pandey and others, in the interest of justice.

II. Issue any other order or direction, which this Hon'ble Court may deem fit, proper and just in the facts and circumstances of the case, may also be passed in favour of the Petitioner."

3. Since adjudication of petitioner's grievance would entail factual aspect as well, for the aforesaid grievance, petitioner has already submitted a representation but seeks liberty to file a fresh representation before competent authority. At present learned counsel for petitioner restricts his prayer for a final decision with regard to same.

4. 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.1 i.e. Principal Secretary, Co-operative Department, Government of U.P., Civil Secretariat, Lucknow. In case such a representation is filed, the same shall be considered and decided keeping in view the judgment rendered by Hon'ble the Supreme Court in the case of State of U.P. versus Chandra Prakash Pandey & Ors; Civil Appeal No.8467 of 1995 in case the same is applicable within a period of eight weeks from the date a certified copy of this order is produced before the said authority.

5. With the aforesaid observation, petition stands **disposed of**.

Order Date :- 16.12.2023
Subodh/-

Digitally signed by :-
SUBODH KUMAR SINGH
High Court of Judicature at Allahabad,
Lucknow Bench