

Court No. - 7

Case :- WRIT - A No. - 9832 of 2023

Petitioner :- Sushila Devi

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Urban Development Deptt. Lucknow And 3 Others

Counsel for Petitioner :- Ajay Sharma

Counsel for Respondent :- C.S.C.,Srinivas Bajpai

Hon'ble Abdul Moin,J.

At the very outset, learned counsel for the petitioner prays for and is permitted to implead the District Inspector of Schools, Sitapur as respondent no. 5 and Principal, Municipal Inter College, Sitapur as respondent no. 6 during the course of the day.

Heard learned counsel for the petitioner, learned Standing counsel appearing on behalf of the State-respondents no. 1, 2 & 5 and Srinivas Bajpai, learned counsel for the respondents no. 3 & 4.

No notice need be issued to the respondent no. 6 taking into consideration the nature of order proposed to be passed.

With the consent of learned counsel appearing on behalf of the contesting parties, the instant writ petition is being finally decided.

Instant writ petition has been filed praying for a direction to the Nagar Palika Parishad, Sitapur to make payment of arrears of revised pension from December, 2016 to March, 2021 as well as arrears of 3rd ACP along with interest.

The contention of learned counsel for the petitioner is that despite the petitioner having retired on 30.09.2015 from the Nagar Palika Parishad, Sitapur from the post of Sweeper, the arrears of revised pension have not been paid nor the arrears of 3rd ACP have been paid for which recommendations have been sent to the District Inspector of Schools.

Sri Srinivas Bajpai, learned counsel for the respondents no. 3 & 4 fairly states that on account of paucity of funds, the dues have not been paid which shall be paid positively within a period of three months from today. It is further stated that part payment of the 1/4 of the total dues shall be paid to the petitioner within a period of six weeks and the balance shall be paid within a period of next one month.

The aforesaid statement of Sri Srinivas Bajpai, learned counsel for the respondents no. 3 & 4 is recorded.

It is also provided that while making the paying the arrears of pension, the respondents shall also consider the payment of interest on the aforesaid delayed

payment of dues more particularly when the petitioner retired in September, 2015 and a period of more than eight years have lapsed and the dues have still not been paid.

So far as the claim of 3rd ACP is concerned, Sri Ran Vijay Singh, learned counsel for the respondent no. 5 states that a decision in this regard would be taken within six weeks and in case any dues are payable by the District Inspector of Schools then the same shall also be paid to the petitioner within a period of six weeks from today. It is also provided that while making the payment of arrears of 3rd ACP, the respondent no. 5 shall also consider the payment of interest on the delayed payment of dues.

The writ petition is disposed of.

Order Date :- 21.12.2023

Pachhere/-