

Court No. - 20

Case :- WRIT - A No. - 10016 of 2023

Petitioner :- Ishwar Kaur

Respondent :- State Of U.P. Thru. Prin. Secy. Finance Deptt. Civil Sectt.
Lko And 4 Others

Counsel for Petitioner :- Abhay Nath Mishra, Gaurav Singh

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 no.1 to 4.
2. In view of order being proposed to be passed, notices to opposite party no.5 stand dispensed with.
3. Petition has been filed seeking a direction to concerned authority for staying of pension payment order passed in favour of opposite party no.5. Further prayer for decision on petitioner's representation dated 15.12.2023 has also been passed.
4. Mr. Diwakar Singh, learned State counsel has raised a preliminary objection regarding maintainability of this petition since only a prayer for Mandamus has been sought without challenge to pension payment order already issued in favour of opposite party no.5 particularly since there appears to be a dispute pertaining to validity of petitioner and opposite party no.5 as the legally wedded wife of Late Dhanpal Singh.
5. In view of submissions advanced by learned counsel for petitioner, petition is dismissed granting liberty to petitioner to file afresh challenging the Pension Payment Order issued in favour of opposite party no.5.

Order Date :- 22.12.2023

Subodh/-