

Court No. - 20

Case :- WRIT - A No. - 10147 of 2023

Petitioner :- Devendra Nath Mishra And 25 Others

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Medical Health And Family Welfare Deptt. U.P. And Another

Counsel for Petitioner :- Manish Misra, Dileep Pandey, Gaurav Upadhyay

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur, J.

1. Heard learned counsel for petitioners and learned State Counsel for opposite parties.
2. Petition has been filed seeking a direction to opposite parties to consider petitioner's grievance for entitlement to be granted benefit of the Old Pension Scheme in terms of judgment and order dated 07.12.2023 passed in **Writ-A No. 5537 of 2023 (Nand Lal Yadav versus State of U.P. and Others)**.
3. It has been submitted that in terms of aforesaid judgment, which is applicable upon petitioners, they are entitled to provide one time option to opt for the Old Pension Scheme.
4. Since addressing petitioners' grievance would entail factual aspects, liberty is granted for filing fresh representation before opposite party no. 2 i.e. The Director General, Medical, Health and Family Welfare Department, Swasthya Bhawan, Lucknow 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 concerned authority in the light of judgment rendered in the case of Nand Lal Yadav (supra) in case the same is applicable upon petitioners.
5. With aforesaid observations and directions, the petition is finally **disposed of**.

Order Date :- 22.12.2023

Satish