

Court No. - 6

Case :- WRIT - A No. - 20001 of 2024

Petitioner :- Prem Kumari

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Kamal Kumar Keshewani

Counsel for Respondent :- C.S.C.

Hon'ble Ajay Bhanot,J.

Heard Shri Kamal Kumar Keshewani, learned counsel for the petitioner and learned Standing Counsel for the respondents-State.

The petitioner claims that she is entitled to her husband's leave encashment. A representation has been made but to no avail.

The only prayer made on behalf of the petitioner is that the representation with regard to grant the benefit of leave encashment of her husband may be decided within a stipulated period of time.

Learned Standing Counsel submits that the matter requires factual determination as per applicable law by the competent authority in the first instance. However, learned Standing Counsel fairly contends that the service benefit of the leave encashment of her husband is liable to be decided by the competent authority in a reasonable time frame.

In the wake of the aforesaid submission and without going

into the merits of the case, the respondent No.2/District Basic Education Officer, District-Kannauj is directed to decide the representation of the petitioner with regard to grant the benefit of leave encashment as per law within a period of three months from the date of receipt of a certified copy of this order along with a fresh copy of the representation.

With the aforesaid direction, the writ petition is finally disposed of.

Order Date :- 20.12.2024

Ashish Tripathi