

Court No. - 4

Case :- WRIT - A No. - 4758 of 2024

Petitioner :- Ashok Kumar Saxena

Respondent :- Chief Secretary, State Of U.P. Civil Sectt. Lko.
And 3 Others

Counsel for Petitioner :- Vidhu Bhushan Kalia, Priya Vrat

Counsel for Respondent :- C.S.C.

Hon'ble Subhash Chandra Sharma, J.

Heard learned counsel for the petitioner, learned C.S.C. and perused the record.

This writ petition has been filed by the petitioner with following prayer:-

"(i) To issue a writ, order or direction in the nature of Mandamus commanding the Respondents to grant the revised pension and pensionary benefits to the petitioner in the light of the Judgement and Order passed by this Court dated 9.11.2021 in Writ Petition No. 13052 (S/B) of 2021 (State of U.P. through Principal Secretary, Agriculture, Lucknow and others Vs. State of U.P. and other) upheld by the Hon'ble Supreme Court by judgment and order dated 11.7.2022 passed in Special Leave to Appeal (C) No. 4221 of 2022 (State of U.P. and other Vs. Ashok Kumar Saxena)

(ii) To issue a writ, order or direction in the nature of mandamus commanding the respondent no. 1 to decide the representation of the petitioner dated 1.5.2024.

(iii) To issue any other writ order or direction which this Hon'ble Court may deem just and proper in circumstances of the case.

(iv) To allow this writ petition with all costs in favour of petitioner.

It is submitted by the learned counsel for the petitioner that he was initially appointed on the post of Junior Engineer and superannuated on 31.12.2016 but no retiral benefit was given to him as per rules regarding which he moved a representation to the respondent no. 1, Chief Secretary on 1.5.2024 which is still pending and has not been decided, therefore, request to direct the respondent no. 1 to decide the representation of the

petitioner dated 1.5.2024.

Learned C.S.C. has no objection in this regard.

Considering the facts and circumstances of the case, submissions made by learned counsel for the petitioner as well as learned C.S.C. and perusal of record, it appears that regarding determination of retiral benefits, representation moved by the petitioner dated 1.5.2024 is still pending before the respondent no. 1, therefore, respondent no. 1 is hereby directed to decide the representation moved by the petitioner within a period of three months from the date of production of certified copy of this order in accordance with law.

Accordingly, this writ petition is ***disposed of*** finally.

Order Date :- 24.6.2024

Anurag Singh