

Court No. - 2

Case :- WRIT - C No. - 10570 of 2024

Petitioner :- Uma Mahila Utthan Samiti Thru. President
Nagendra Kumar

Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Of
Women And Child Development Lko. And 3 Others

Counsel for Petitioner :- Adarsh Mehrotra

Counsel for Respondent :- C.S.C.

Hon'ble Rajan Roy,J.

Hon'ble Brij Raj Singh,J.

Heard.

The petitioner has challenged the order dated 13.06.2024 by which the claim of the petitioner for certain dues in respect of Juvenile Homes which were being earlier run by the petitioner has been declined.

Petitioner's counsel submits that a representation has been submitted challenging the recitals contained in the order dated 13.06.2024 which should be considered and decided by the Director, Woman & Child Welfare, U.P., Lucknow.

We have perused the impugned orders. As regard point no.(2) in respect of juvenile home for boys, the matter regarding payment of dues is pending consideration. We, therefore, direct the State Government to take a decision in this regard so far as the alleged dues for the F.Y. 2017-18 pertaining to the said homes. As regards the other issues, we find that the Director has disputed the claim of the petitioner for the dues. We cannot under Article 226 of the Constitution of India decide such a disputed question of fact as it would require an inquiry into factual issues. However, considering that the petitioner has submitted a representation challenging the facts and conclusions as mentioned in the impugned order dated 13.06.2024, we direct the Director i.e. opposite party no.2 to consider the said representation which is annexed as Annexure no.2 to this petition, get the facts verified in the light of averments made therein and if she finds that there is any factual error in the order dated 13.06.2024 then she shall revisit the same and correct the errors. However, if she finds that recitals in the representation contained in Annexure no.2 are not correct and the order dated 13.06.2024 is not liable to be modified or reviewed in any manner then she shall inform the petitioner in

writing about the same giving reasons, even if briefly, in this regard. Let this exercise be completed by opposite party no.2 within three months. As regards submission of Sri Adarsh Mehrotra, learned counsel for the petitioner that even after cancellation of registration under the Juvenile Justice Act the juvenile homes of the petitioner continued to function till September, 2024 and some report in this regard, we are of the opinion that without the same being registered it is unfathomable as to how the homes were being operated. Nevertheless, we do not wish to go into the details as this is not an issue involved in this petition.

Accordingly, the petition is **disposed of**.

(Brij Raj Singh,J.) (Rajan Roy,J.)

Order Date :- 18.12.2024

Shanu/-