HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

WRIT - A No. - 4616 of 2026

Smt. Shanti Devi

.....Petitioner(s)

Versus

State Of U.P. Thru. Prin. Secy. Deptt. Of Transport Lko.
And 5 Others

.....Respondent(s)

Counsel for Petitioner(s) : Ghaus Beg
Counsel for Respondent(s) : C.S.C., Akhilesh Pratap Singh, Ratnesh Chandra

Court No. - 4

HON'BLE SYED QAMAR HASAN RIZVI, J.

1. Heard Sri Ghaus Beg, learned counsel for the petitioner, Sri Badrish Kumar Tripathi, learned Additional Chief Standing Counsel for the State-opposite party nos. 1 & 2, Sri Taha Arif, Advocate holding brief of Sri Ratnesh Chandra, learned counsel for the Uttar Pradesh State Road Transport Corporation/respondent nos. 3 to 5, Sri Akhilesh Pratap Singh, learned counsel appearing on behalf of the respondent no. 6 and perused the material available on record.

2. By means of the present writ petition, the petitioner has prayed for a direction to the Managing Director, Uttar Pradesh State Road Transport Corporation, Lucknow (opposite party no. 4) to take decision pursuant to the recommendation made by the Regional Manager, Uttar Pradesh State Road Transport Corporation, Meerut (opposite party no. 5) vide letter dated 09.03.2026, as contained in Annexure No. 1 to the writ petition.

3. Submission of the learned counsel appearing on behalf of the petitioner is that Regional Manager, Uttar Pradesh State Road Transport Corporation, Meerut (opposite party no. 5) vide letter dated 09.03.2026 made clear recommendation for the adjustment of EPF contribution of the employer's share from the arrears of pension of the petitioner's husband namely Late Chaman Lal after ascertaining the actual amount of EPF contribution of employer's share from the Employees Provident Fund Commissioner (opposite party no. 6) but the Managing Director, Uttar Pradesh State Road Transport Corporation, Meerut (opposite party no. 4), has not paid any heed to the said recommendation dated 09.03.2026 and the case of the petitioner is still pending for appropriate action at the stage of the Managing Director,

Uttar Pradesh State Road Transport Corporation, Lucknow (opposite party no. 4). For ready reference the copy of the aforesaid recommendation dated 09.03.2026 made by the Regional Manager, Uttar Pradesh State Road Transport Corporation, Meerut (opposite party no. 5) is quoted herein-below:-

"कार्यालय क्षेत्रीय प्रवन्धक,

उत्तर प्रदेश राज्य सड़क परिवहन निगम,

मेरठ क्षेत्र।

पत्रांक ५००/एमआर/लेखा/पेशन/ विविध-कोर्टकेस /2020

सेवा में,

दिनांक 09-2-26

प्रधान प्रबन्धक (कार्मिक)

परिवहन निगम मुख्यालय
लखनऊ।

<u>विषय-रिट याचिका सं०-९-12917/2024 श्रीगती शान्ति देवी बनाम स्टेट ऑफ यू०पी० व 03 अन्य में गा० उच्च न्यायालय द्वारा पारित आदेश दिनांक 21.02.2025 के अनुपालन के सम्बन्ध में।</u>

महोदय,

उपर्युक्त विषयक अवगत कराना है कि श्रीमति शान्ति देवी द्वारा रिट याचिका सं0-12917/2024 योजित की गयी है. जिसमें मा० उच्च० न्यायालय के ओदश दिनांक 21.02.2025 के अनुपालन में परिवहन निगम मुख्यालय लखनऊ के कार्यालय आदेश सं0-1584 सीईएनटी /25-125 प्रत्यावेदन / कोर्टकेस / 2024. दिनांक 30.05.2025 के द्वारा प्रत्यावेदन स्वीकृत करते हुए उनके पति रय० श्री चमन लाल को राजकीय पेंशन का पात्र माना गया है। साथ ही उक्त परिपत्र में यह भी उल्लेख किया गया है कि परिवहन निगम मुख्यालय, लखनऊ परिपत्र संख्या 1843 दिनांक 14.11.2013 यह व्यवस्था की गयी है कि ई०पी०एफ० कार्यालय से पेशन बन्द कराते हुये सम्पूर्ण पेंशनरी अंशदान की धनराशि जमा कराते हुये सम्पूर्ण औपचारिकतायें पूर्ण कराते हुये तदानुसार अनुमन्य पारिवारिक पेंशन स्वीकृत संबंधी कार्यवाही की जायेगी।

महोदय उक्त के संबंध में अवगत कराना है कि श्रीमति शान्ति देची द्वारा ई०पी०एफ० कार्यालय में माह जुलाई 2025 से पेंशन बन्द करा दी गई है तथा पेंशनरी अंशदान की धनराशि जमा न करने के संबंध में एक प्रार्थना पत्र इस कार्यालय में प्रस्तुत किया है, जो कि महोदय को सम्बोधित है। जिसमें उनके द्वारा अवगत कराया गया है कि उनकी आर्थिक स्थिति सही नही है, जिस कारण पेंशनरी अंशदान की धनराशि जमा करने में असमर्थ है। अन्त में उनके द्वारा पेंशनरी अंशदान की धनराशि को अपने देयकों से समायोजन किये जाने का अनुरोध किया गया है।

अतः श्रीमति शान्ति देवी पत्नी स्व० श्री चगन लाल द्वारा प्रेषित प्रार्थना पत्र दिनांक 09.03.2026 इस आश्य से प्रेषित किया जा रहा है कि प्रशनगत विषय में निर्णय परिवहन निगम मुख्यालय से लिया जाना है।

कृपया अग्रिम कार्यवाही हेतु निर्देश देना चाहें।

संलग्नः प्रार्थना पत्र मूल रूप में मय संलग्नक।

सादर सहित।

भवदीय,

क्षेत्रीय प्रबन्धक मेरठ।

प्रतिलिपिः-
श्रीमति शान्ति देवी पत्नी स्व० श्री चमन लाल, 342 सोतीगंज, मेरठ।"

4. It is contended on behalf of the petitioner that the petitioner is a poor lady and is not in a position to deposit the EPF contribution of employer's share, as such, adjustment as recommended by the Regional Manager, Uttar Pradesh State Road Transport Corporation, Meerut (opposite party no. 5) deserves to be considered and appropriate order on the same is liable to be passed.

5. Learned counsel for the petitioner has also prayed for a direction to the Managing Director, Uttar Pradesh State Road Transport Corporation, Lucknow (opposite party no. 4) to expeditiously decide the representation of the petitioner in the light of the recommendation dated 09.03.2026 made by the Regional Manager, Uttar Pradesh State Road Transport Corporation, Meerut (opposite party no. 5).

6. Sri Ghaus Beg, learned counsel for the petitioner has placed before this Court an order passed by the Hon'ble Division Bench of this Court in the case of **U.P. State Road Transport Corporation and another Versus Mirza Athar Beg and others**, reported in **2013(31) LCD 1702**. The relevant portion of the said judgment is extracted herein-below:-

> "Considering the fact that 19 years have elapsed since the respondent retired and the prayer of the respondent's counsel that the amount of EPF already received, may be adjusted towards the arrears of pension, we provide that the pension shall be fixed as per rules within a maximum period of two months from the date of receipt of a certified copy of this order and the same shall be paid regularly with effect from the current month. The arrears of pension shall be paid within a maximum period of one month from its determination, after adjusting the amount of EPF (contribution of the employer), which has already been received by the respondent. It would also be open to the respondent to deposit the amount of EPF (contribution of the employer), already received and if such a deposit is made, there would not be occasion for deducting the said amount.
>
> This direction shall be complied with by all concerned departments and the pension is to be paid within the time frame prescribed.
>
> In regard to the apprehension of the respondent that the Corporation will charge interest on the contribution of the

> employer towards the EPF, suffice would be to mention that, in such an event the respondent would also be entitled to the interest on the delayed payment of pension.
>
> We, therefore, provide that no interest be charged on the EPF amount, as the respondent also says that he will not claim any interest on the amount of pension."

7. Taking into consideration the innocuous prayer made by the learned counsel for the petitioner, the writ petition is **disposed off** by granting liberty to the petitioner to prefer a fresh representation before the Managing Director, Uttar Pradesh State Road Transport Corporation, Lucknow (opposite party no. 4) along-with a copy of this order, *inter-alia* raising all her grievances and pleas, which shall be considered by respondent no.4 in view of the recommendation made by the Regional Manager, Uttar Pradesh State Road Transport Corporation, Meerut (opposite party no. 5) vide letter dated 09.03.2026 and the observations made by the Hon'ble Division Bench of this Court in an identical case of **U.P. State Road Transport Corporation and another** *(Supra)* within a period of six weeks from the date of filing of such representation, unless there is any legal impediment.

June 2, 2026
Arun

(Syed Qamar Hasan Rizvi,J.)

Digitally signed by :-
ARUN KUMAR
High Court of Judicature at Allahabad,
Lucknow Bench