2026:AHC:208076

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 12826 of 2026

Harindra Kumar Srivastava And 7 Others

.....Petitioner(s)

Versus

State of U.P. and Another

.....Respondent(s)

Counsel for Petitioner(s)	:	Akansha Dixit, Prateek Mishra, Siddhartha Baghel
Counsel for Respondent(s)	:	C.S.C.

Court No. - 32

HON'BLE DINESH PATHAK, J.

1. Heard learned counsel for the parties and perused the record on Board.

2. This writ petition has been filed, inter alia, seeking the following reliefs:-

> *"(i) issue a writ, order or direction in the nature of Mandamus commanding the respondent authorities, particularly the competent authority to reconsider and re-calculate the retiral/terminal benefits and gratuity payable to the petitioner by taking into account the petitioner's entire continuous period of service without treating the gap period as a break in service.*
>
> *(ii) issue a writ, order or direction commanding the respondents to release the arrears of wages.*
>
> *(iii) issue a writ, order or direction commanding the respondents to treat the petitioner's service as continuous and uninterrupted, particularly in view of the fact that the petitioner continuously worked under the respondents/project for several years and the alleged break of service was only on account of non-payment/withholding of wages was not attributable to the petitioner."*

3. While entertaining the instant writ petition, this Court passed the following order dated 20.08.2026 :-

> *"1. Learned counsel for the petitioner has raised a grievance regarding the non-payment of retirement dues.*
>
> *2. Sri Harshit Pathak, learned counsel, is appearing for respondent No. 2*

and learned Standing Counsel is appearing for respondent No. 1 who have prayed for and are granted three weeks' time to file counter affidavit, thereafter, petitioner will be having two weeks' time to file rejoinder affidavit, if any.

3. List this matter on 13.10.2026."

4. Today, instant writ petition is listed, pursuant to the order dated 08.09.2026 passed by this Court in Writ-A No.14002 of 2026. For ready reference, order dated 08.09.2026 is reproduced herein below :-

"Learned counsel for the respondents submits that the petitioner has already filed a writ petition being Writ A No. 12826 of 2026 raising grievance regarding payment of gratuity. On his request, club this writ petition with Writ A No. 12826 of 2026 (Harindra Kumar Srivastava and 7 Others vs. State of U.P. and Another) and list this matter on 16.09.2026 as fresh."

5. Learned counsel for the petitioners submits that an appropriate direction may be issued to the competent authority to consider and decide the representation of the petitioners with regard to their grievances, as raised in the instant writ petition.

6. Learned Standing Counsel appearing on behalf of the respondent no.1 and Shri Harshit Pathak, learned counsel appearing on behalf of respondent no.2 contends that the grievance of the petitioners regarding their terminal benefits and gratuity, as raised in the instant writ petition, can be more appropriately redressed by the Managing Director, Bhumi Sudhar Nigam, Lucknow (respondent no.2) and that they have no objection if a direction is issued for expeditious disposal of a fresh representation, to be moved by the present petitioners, within such stipulated period, as may be directed by this Court.

7. In this conspectus, as above, no useful purpose would be served by keeping this matter pending. Accordingly, this Court deems it appropriate to finally dispose of the present writ petition, without expressing any opinion on the merits of the case, with liberty to the present petitioners to move a fresh representation with respect to their grievances, as raised in this petition, within a period of three weeks from today, along with a certified copy of this order and a self attested copy of the instant writ petition before the respondent no.2, who, in turn, shall consider and decide the same in

accordance with law, expeditiously, preferably within a period of three months from the date of production of the same.

8. With the aforesaid directions, instant writ petition stands finally **disposed of.**

October 5, 2026
VR

(Dinesh Pathak,J.)

Digitally signed by :-
VIBHA RATAN
High Court of Judicature at Allahabad