2026:AHC:209882

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 14831 of 2026

Prakash Kumar Awasthi

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Akhilesh Chandra Dwivedi, Kamal Kumar Singh
Counsel for Respondent(s)	:	C.S.C.

Court No. - 52

HON'BLE MRS. MANJU RANI CHAUHAN, J.

Heard learned counsel for the petitioner and learned Standing Counsel for the State-respondents.

This writ petition has been filed inter alia for the following relief:-

“(i) Issue a writ, order or direction in the nature of mandamus directing the respondent no.2 Director of Education (Secondary) U.P. at Lucknow to consider and decide the representation of petitioner dated 06.08.2026 within stipulated period from command of this Hon’ble Court.

(ii) Issue a writ, order or direction in the nature of mandamus directing the respondent authorities to provide the benefit of old pension scheme to the petitioner."

Learned counsel for the petitioner submits that the petitioner retired from the post of Assistant Clerk on 31.03.2024. He has placed a representation before the respondent no.2 Director of Education (Secondary) UP at Lucknow, requesting for payment of pension as per the old pension scheme but nothing has been done till date. Therefore, a direction may be issued to the respondent authorities to decide the claim of the petitioner, within stipulated period.

Learned Standing Counsel submits that in case the petitioner moves a fresh representation before the respondent no.3 ventilating all his grievances, an appropriate order shall be passed in accordance with law.

The writ petition is being decided without issuing notice to respondent no.5 in view of the order proposed to be passed.

Considering the facts and circumstance of the case but without expressing any opinion on the merits of the case set up on behalf of the petitioner, the present writ petition is disposed of by providing that petitioner may make fresh detailed application/representation, ventilating all his grievances, supported by such documents, as may be advised, before the respondent no.3 Joint Director of Education (Madhyamik Shiksha) Jhansi Division, Jhansi, within three weeks from today along with a certified copy of this order. On such representation being made, respondent no.3 shall make all endeavours to consider and decide the same, strictly in accordance with law, by means of a reasoned and speaking order, after giving proper opportunity of hearing to the petitioner, as expeditiously as possible, preferably within a period of six weeks from the date of production of certified copy of this order, if there is no legal impediment.

(Mrs. Manju Rani Chauhan,J.)

October 7, 2026
Rahul.

Digitally signed by :-
RAHUL GOSWAMI
High Court of Judicature at Allahabad