2026:AHC:209099

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 15354 of 2026

Committee Of Management Shiv Kumari Makardwaj And Another

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Grijesh Tiwari
Counsel for Respondent(s)	:	C.S.C.

Court No. - 52

HON'BLE MRS. MANJU RANI CHAUHAN, J.

Compliance affidavit on behalf of respondent no.2 has been filed today is taken on record. The office is directed to register the same.

Heard learned counsel for the petitioners and Mr. Shailendra Singh, learned Standing Counsel for the State.

The writ petition has been filed with the following prayers:-

"(i) Issue a writ, order or direction in the nature of mandamus commanding the respondent no.2 District Inspector of Schools, Ballia to pass appropriate orders with regard to payment of arrears of salary to the employees of the petitioners' institution from 11.08.2015 to 26.01.2023 along with suitable/permissible interest in terms of the Government order dated 11.08.2015 as well as order dated 15.03.2024 passed by the State Government and Director of Education (Secondary) respectively and to ensure the payment of same forthwith or within stipulated period as fixed by this Court.

(ii) Issue a writ, order or direction in the nature of mandamus commanding/directing the respondent no.2 to decide the application/representation dated 09.05.2026 moved by the petitioner no.2, within stipulated period as fixed by this Court."

On 23.09.2026, the following order was passed:-

"1. Heard Shri Grijesh Tiwari, learned counsel for the petitioners and learned Standing Counsel for the respondent-State.

2. The contention of learned counsel for the petitioners is that the Government Order dated 27.01.2023, made admissible the payment of salary from the date of issuance of the said G.O. dated 27.01.2023, but subsequently, vide the G.O. dated 15.03.2024, an amendment was made for payment from the date, when

the Institution was brought in the list of grant-in-aid i.e. 11.08.2015. The petitioners' apprehension now is that inspite of the amendment vide the G.O. dated 15.03.2024, the arrears from 11.08.2015 till 27.01.2023 shall not be disbursed to the petitioner, as per the G.O. dated 15.03.2024.

3. Learned Standing Counsel may take instructions on the aforesaid issue and file an affidavit by the next date fixed.

4. List this case on 06.10.2026 in top-10 cases."

In compliance of the aforesaid order, the compliance affidavit has been filed by respondent no. 2/District Inspector of Schools (DIOS), wherein it has been stated that the DIOS does not have the financial authority to sanction arrears up to Rs.2,00,000/-, and accordingly, guidance has been sought from the Director of Education (Secondary) regarding the appropriate course of action, as per the order dated 15.03.2024 passed by the Director of Education (Secondary). In the entire affidavit, the claim of the petitioners regarding arrears from 11.08.2015 to 27.01.2023 has not been disputed.

Learned counsel for the petitioners submits that a direction may be issued to respondent no.2 to make the necessary payment to the petitioners, in accordance with law, within a stipulated period.

In view of the aforesaid, the writ petition is disposed of with a direction to respondent no.2/District Inspector of Schools, District Ballia, to make the necessary payment to the petitioners, after obtaining guidance from the Director of Education (Secondary), in accordance with law, within a period of two months from the date of production of a certified copy of this order, if there is no legal impediment.

(Mrs. Manju Rani Chauhan,J.)

October 6, 2026
Rahul.

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