

Court No. - 33

Case :- WRIT - A No. - 6402 of 2022

Petitioner :- Smt. Rama Devi

Respondent :- State Of U.P. Through Secretary
Home And 3 Others

Counsel for Petitioner :- Pankaj
Kushwaha, Suresh Chandra Kushwaha

Counsel for Respondent :- C.S.C.

Hon'ble Mrs. Sangeeta Chandra, J.

It is the case of the petitioner that she has earlier approached this Court by filing a writ petition in which this Court by an order dated 20.12.2003 had noted the submissions made by her counsel that an allegation of embezzlement of Rs.1,50,000/- has been made against the husband of the petitioner for which disciplinary proceedings have been initiated and also F.I.R. was lodged. During the pendency of the application, the husband of the petitioner died and the disciplinary proceedings as well as the criminal case and investigation both abated. However retiral benefits and family pension etc. has not been released in favour of the petitioner. This Court had directed the respondent to decide the representation of the petitioner by passing reasoned and speaking order within six weeks from the date of submission of certified copy of the order, under due intimation to the petitioner.

It has been submitted by learned counsel for the petitioner that despite such order being sent through representation to the Competent Authority i.e. the S.O.C. Bulandshaher, no orders were passed. However, it is without due completion of enquiry/ investigation which had abated on death of the petitioner, an amount of Rs.1,50,000/- has been deducted from the retiral dues of her late husband and only provisional pension is being given to her without any orders passed by any competent authority.

Learned Standing Counsel shall seek instructions from the respondent no.2 and file counter affidavit within two weeks from today. In case, no counter affidavit is filed, the Settlement Officer Consolidation Bulandshaher shall appear in person

on 27.07.2022 before this Court.

List this case on 27.07.2022.

Order Date :- 6.7.2022

Rahul