

**Court No. - 6**

**Case :-** WRIT - A No. - 10039 of 2018

**Petitioner :-** Ram Adhar Yadav

**Respondent :-** State Of U.P. And 5 Others

**Counsel for Petitioner :-** Shashi Kant Dwivedi

**Counsel for Respondent :-** C.S.C.,Rohit Ranjan Agarwal

**Hon'ble B. Amit Sthalekar,J.**

Heard Shri Shashi Kant Dwivedi, learned counsel for the petitioner, Shri Vivek Kumar Sharma holding brief of Shri Shiv Nath Singh, learned counsel for the respondent no.3, Shri Rohit Ranjan Agarwal, learned counsel for the respondent no.5 and the learned Standing Counsel for the respondents no.1, 2 & 4.

The petitioner in the writ petition is seeking quashing of the order dated 10.07.2017.

According to the petitioner his retiral dues have not been paid. The impugned order shows that earlier the petitioner had filed Writ Petition No.13113 of 2017 claiming unpaid EPF, Group Insurance and arrears of salary from June, 2003 to 30.11.2008 which was disposed of by this Court vide order dated 29.03.2017 with a direction to the respondents to consider and decide the petitioner's representation. When the representation of the petitioner was not decided the petitioner filed Contempt Application (Civil) No.4112 of 2017 which was disposed of with a direction to the respondents to comply with the order of the writ Court. It is stated that in pursuance thereof that the impugned order has been passed. In the impugned order the only ground taken for not making payment of retiral dues that there is paucity of fund.

The matter requires considerations.

Issue notice to the respondent no.6 returnable within four weeks. The petitioner shall take steps for service on the respondent no.6 within one week.

All the respondents may file their counter affidavit within five weeks.

List on 24.05.2018.

**Order Date :-** 17.4.2018

N Tiwari