

**Court No. - 33**

**Case :-** WRIT - A No. - 4268 of 2021

**Petitioner :-** Shivam Upadhyay Through Its Guardian Shailesh Upadhyay

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

**Counsel for Petitioner :-** Lavlesh Kumar Shukla

**Counsel for Respondent :-** C.S.C.,K.P. Verma

**Hon'ble Ashwani Kumar Mishra,J.**

Petitioner's father, who was a Tube Well Operator attained the age of superannuation on 30.06.2018 and has died thereafter on 27.09.2020. Petitioner states that he was born on 11.05.2009 and he is only 12 years of age. Contention is that petitioner has no means to support himself and therefore, in view of the applicable government order he is entitled to grant of family pension. Such a representation appears to have been made before the second respondent but no action has been taken and hence this writ petition.

Sri K.P. Verma, who has accepted notice on behalf of Nagar Palika Parishad, Bhadohi states that the Executive Officer has already made necessary recommendation to the respondent no.6 for sanctioning family pension to the petitioner, but an appropriate decision has not been taken in the matter.

Considering the fact that petitioner's plea has already been forwarded by the respondent no.4 to respondent no.6, it would be appropriate to permit the petitioner to represent his grievance before the respondent no.6 along with copy of this order. The sixth respondent shall examine the petitioner's claim, as noticed above, and pass appropriate orders in terms of applicable government order with regard to petitioner's case for sanction of family pension within a further period of three months thereafter. All consequential action shall be taken without further loss of time.

With the aforesaid observations, the writ petition stands disposed of.

**Order Date :-** 30.6.2021

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