

Court No. - 32

Case :- WRIT - A No. - 949 of 2022

Petitioner :- Samundra Devi

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Kuldeep Singh

Counsel for Respondent :- C.S.C.

Hon'ble Vikram D. Chauhan,J.

Heard Sri Kuldeep Singh, learned counsel for the petitioner and learned Standing Counsel for the State-respondents.

It is to be noted that in connected matter being Writ-A No.11768 of 2015 (Rakesh Kumar Vs. State of U.P. and two others) claim for terminal benefits/retiral benefits of the husband of the petitioner was rejected by impugned order dated 29.9.2021 on the ground that petitioner was a Seasonal Collection Peon and was not substantively appointed and as such, claim for family pension was denied.

Since the matter with regard to regularization of petitioner has already been sent for consideration to the District Magistrate, Allahabad in connected writ petition being Writ-A No.11768 of 2015 (Rakesh Kumar Vs. State of U.P. and two others), the impugned order dated 29.09.2021 passed by respondent No.3 is set aside and the matter is remanded back to respondent no.3 for consideration of pensionary or terminal benefits in accordance with the Validation Act and such other law, as may be applicable from time-to-time, after consideration of the claim of regularization of the husband of the petitioner.

The writ petition is, **allowed**, accordingly.

Order Date :- 30.11.2022

D. Tamang