



2026:AHC:3340

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 19672 of 2025

Madhu Wala Sharma

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Krishna Kumar, Soumyesh Dutt Tripathi
Counsel for Respondent(s)	: C.S.C., Suresh Kumar Maurya

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Soumyesh Dutt Tripathi, learned counsel for the petitioner, Sri Rahul Malviya, learned Standing Counsel for the State and Sri Suresh Kumar Maurya, learned counsel for respondent Nos.3 to 5.
2. The husband of the petitioner is claimed to be a Senior Clerk who expired on 27.04.2011. The petitioner claims sanction and disbursement of leave encashment for a period of 226 days.
3. Learned Standing Counsel and learned counsel appearing for respondent Nos.3 to 5 submits that the claim is barred by delay and latches.
4. Considering the submissions of the rival parties as well as stand taken by them, the writ petition is being **disposed of** granting liberty to the writ petitioner to prefer a comprehensive representation along with the self-attested copy of the writ petition before the respondent No.4- District Basic Education Officer, Firozabad, who shall on the receipt of the same, proceed to decide the claim of the petitioner bearing in mind the admissibility, entitlement and also the question of delay and latches in the light of the law laid down in **Rushibhai Jagdishbhai Pathak v. Bhavnagar Municipal Corporation, JT 2022 (5) SC 470** within a period of three months from the date of presentation of the certified copy of the order. In case the respondent No.4 is of the opinion that the matter is to be decided by some other authorities then the papers shall be transmitted to the same.

January 7, 2026

R.S. Tiwari

(Vikas Budhwar,J.)