



2026:AHC:64774

HIGH COURT OF JUDICATURE AT ALLAHABAD

CONTEMPT APPLICATION (CIVIL) No. - 562 of 2026

Zafar Ali

.....Applicant(s)

Versus

Neha Prakash, Director, Training And Employment
Uttar Pradesh Lucknow

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Shoar Mohammad Khan
Counsel for Opposite Party(s)	:	

Court No. - 9

HON'BLE ROHIT RANJAN AGARWAL, J.

1. The writ Court on 14.07.2023 while disposing of Writ-A No. 4889 of 2023 passed the following order:-

"Rejoinder Affidavit filed today is taken on record.

Heard Sri S.N. Khan learned counsel for the petitioner and Sri Ajeet Kumar Singh learned Chief Standing Counsel who appears for respondents No. 1 to 3.

The case of the writ petitioner as couched in the present writ petition is that his sister Km. Hamida Bano since deceased was initially appointed as an instructor in Government industrial institute Aligarh on 27.11.1997 it is further the case of the writ petitioner that his sister was unmarried being a spinister she died-in-harness on 12.01.2017 in paras 5 & 6 of the writ petition it has been further averred that the deceased left behind her four brothers namely Sajid Ali, Sahid Ali, Tahir Ali and the petitioner, (Zafar Ali). In para 6 of the writ petition it has been further averred that the other brothers of the petitioner namely Zahid Ali expired on 05.11.2019, Sajid Ali on 29.12.2019 and Tahir Ali on 15.01.2020. As per the writ petitioner proceedings for a succession case was filed before the Civil Judge (Senior Division) Rampur being Succession Case No. 17 of 2018 (Zafar Ali Vs. Sajid Ali & Others) for release and payment of GPF gratuity and other dues payable to the legal heir of the deceased sister which ultimately came to be decided on 30.01.2019 reference whereof has been given in para 7 & 8 copy whereof is Annexure 3 at page 23 of the

paper book. As per the writ petitioner the writ petitioner became entitled to the post retiral benefits in that regard in para 9 of the writ petition it is further averred that the writ petitioner also lodged his claim before the third respondent, Government Women Industrial Institute Rampur for payment of the said benefits armed with the succession certificate however, payment has not been made the writ petitioner in para 12 has further averred that the petitioner also claims an amount of Rs. 30,000/- referable to NSC while taking recourse to succession certificate in the Court of Civil Judge (Senior Division) Rampur in Succession Case No. 100 of 2001 in which succession certificate in favour of the writ petitioner on 16.03.2022. Writ petitioner further asserts that the orders passed in the succession case have not been put to challenge and they have attained finality.

Grievance of the writ petitioner is that despite the fact that the writ petitioner is entitled to all post retiral dues but the same has not been paid.

Prayer in the present petition is for a direction to the second respondent to accord consideration to the claim of the writ petitioner for pensionary benefits.

This Court on 29.03.2023 required the learned Standing Counsel to file response pursuant whereof a counter affidavit has been filed sworn on 09.05.2023 by the Principal, Government Industrial Training Institute Naini, Allahabad. In paras 4 and 9 of the counter affidavit it is the stand of the respondents that since the deceased during a life time did not put any name of nominee in the nomination column, thus, the writ petitioner is not entitled to the same though they have not disputed the factum of the succession certificate issued in favour of the writ petitioner. According to learned Standing Counsel no fruitful purpose will be served in detaining the writ petition on board, however, according to them the claim of the writ petitioner is to be addressed by the second respondent itself as he has not accorded consideration to the claim of the writ petitioner in particular while making an inquiry as to whether the said succession certificate had been recalled or not at the instance of any legal heir or any third party.

Considering the submission of the rival parties as well as the stand taken by them, the writ petition is being disposed of without taking any response

from the respondent granting liberty to the writ petitioner to approach the second respondent, Director, Training and Employment U.P. Lucknow while filing the comprehensive representation with the self attested copy of the writ petition and the second respondent on the receipt of the same shall proceed to consider the claim of the writ petitioner after according consideration as to whether the said succession certificate is in existence or they have put to challenge and their challenge is pending before the competent court of law. After being satisfied and putting the necessary parties to notice and in case certain other documents are sought then the writ petitioner be informed in advance to furnish the same the final orders be passed within a period of three months from the date of production of the certified copy of the order strictly in accordance with law.

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

2. Today, a compliance affidavit has been filed on behalf of State wherein in para no. 12, it has been stated that claim of the applicant was decided on 17.11.2025 complying the order dated 18.08.2025, copy of the said order has been appended as annexure-4 to compliance affidavit.

3. In view of said fact, as the order of writ Court has been complied with, the contempt application is rendered infructuous and stands disposed of.

4. Contempt notice stands discharged.

(Rohit Ranjan Agarwal,J.)

March 28, 2026
(V.S.SINGH)