

Court No. - 4

Case :- WRIT - A No. - 10766 of 2020

Petitioner :- Ramveer Singh

Respondent :- State of U.P. and Another

Counsel for Petitioner :- Surendra Kumar Tripathi, Rinki Gupta

Counsel for Respondent :- C.S.C., Abhishek Srivastava

Hon'ble Prakash Padia, J.

1. The present writ petition has been filed with the prayer to direct the respondent no.2 to promote the petitioner on the post of Driver in pursuance to the award dated 21.11.2012 passed by Presiding Officer, Labour Court, U.P. Agra. Further prayer is made to direct the respondent no.2 to consider and decide the claim of petitioner contained in representation 05.04.2019 (Annexure No.4) for being promotion of the petitioner on the post of driver in pursuance to the award dated 21.11.2012 passed by Presiding Officer, Labour Court, U.P. Agra.

2. It is argued by counsel for the petitioner that award has already been passed in favour of the petitioner by Presiding Officer, Labour Court, U.P. Agra. The aforesaid award was challenged by the Jal Sansthan Agra, before this Court by filing a writ petition being Writ C No.10756 of 2014. The said writ petition was duly entertained and following order was passed on 19.02.2014 :-

"Heard Sri Ghanshyam Dwivedi, learned counsel for the petitioners and Ms. Suman Sirohi, learned Standing Counsel appearing for respondent no. 1 and 2.

Issue notice to respondent no. 3 and 4 returnable at an early date.

Steps to be taken by speed post within 3 days.

All the respondents may file counter affidavit within three weeks. Petitioner may also file rejoinder affidavit within a week thereafter.

List on 24th March, 2014.

Stay application shall be considered on the next date of listing."

3. It is further argued that till date no interim protection has been granted in favour of the petitioner in that writ petition namely Jal Sansthan, Agra, however, petitioner was permitted to work but his

case for promotion has not been considered by the respondents only on the ground that the award is under challenge before this Court in the writ petition filed by the Jal Sansthan, Agra. Moreover the writ petition filed by the Jal Sansthan has been dismissed in default by me today.

4. List has been revised. Nobody is present on behalf of respondent though the name of Mr. Abhishek Srivastava, Advocate, is duly reflected in the cause list.

5. In this view of the matter and also in the interest of justice, present writ petition is disposed of finally directing the respondent no.2-General Manager, Jalkal Vibhag Waterworks, Agra, District Agra to consider the case of the petitioner for promotion strictly in accordance with directions given by the Presiding Officer, Labour Court, Agra vide its award dated 21.11.2012 passed in Adjudication Case No.211 of 2006. The aforesaid consideration be made strictly in accordance with award dated 21.11.2012 passed by the labour court within a period of three weeks from the

Order Date :- 2.11.2023

Pramod Tripathi