

Court No. - 34

Case :- WRIT - A No. - 12437 of 2021

Petitioner :- Ram Naresh

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

Counsel for Petitioner :- Krishna Kumar Singh

Counsel for Respondent :- C.S.C.

Hon'ble Ajit Kumar,J.

Heard learned counsel for the parties.

Since appeal of the petitioner has been dismissed on the ground of delay, which has come to be explained, the matter is prayed to be remitted to the appellate authority for decision afresh.

Learned Standing Counsel though sought to justify the order but since the appellate authority is a fact finding authority, and thereafter also revision lies, he does not have any objection that one last opportunity be afforded to the petitioner to approach before the appellate authority within a period of four weeks from today to get decided the appeal afresh.

Accordingly, the order passed by the appellate authority dated 25.11.2016 is hereby quashed. The departmental appeal is restored and petitioner is directed to appear on or before the appellate authority on 20th November, 2023 and in the event if petitioner appears and files certified copy of this order alongwith application, his appeal shall be disposed of after giving opportunity of hearing on its own merits by reasoned and speaking order within a further period of four weeks.

With the aforesaid observations and directions, this petition stands disposed of .

Order Date :- 31.10.2023

Sanjeev