

Court No. - 33

Case :- WRIT - A No. - 69487 of 2015

Petitioner :- Ajeet Kumar

Respondent :- State of U.P. and others

Counsel for Petitioner :- In person, Ajay Singh Sengar, Kundan Kumar, Suhel Ahmad Azmi, Vijay Gautam

Counsel for Respondent :- C.S.C.

Hon'ble J.J. Munir,J.

Heard Ajeet Kumar, the petitioner in person and Mr. Roopesh Tiwari, learned Standing Counsel appearing on behalf of the State.

A personal affidavit of the Superintendent of Police, Lalitpur has been filed in Court today. It is taken on record.

In paragraph Nos. 11, 12 and 13 of the affidavit, it is averred :

11- That in pursuance of aforesaid communication, state government vide letter dated 02.12.2023 sent necessary instructions to deponent, directing him to take appropriate decision in the matter for ensuring compliance of order of this Hon'ble Court keeping in view of pending criminal against the acquittal order, the appointment of the petitioner shall be subject to final outcome of the pending . True copy of eltter dated 02.12.2023 is being annexed herewith and marked as **Annexure-P.A. -5** to this affidavit.

12- That upon getting such instructions from the state government, the deponent vide letter dated 02.12.2023 issued the appointment order in favour of the petitioner. True copy of appointment-order dated 02.12.2023 is being annexed herewith and marked as **Annexure-P.A. -6** to this affidavit.

13- That since the petitioner has been given appointment by the deponent, thus no further cause of action survives in the matter as such the present writ petition is liable to be dismissed as infructuous.

A perusal of the aforesaid paragraphs and the impugned order dated 02.12.2023 passed by the Superintendent of Police, Lalitpur shows that the petitioner has been given an appointment on probation, subject to the outcome of the present petition and the criminal appeal pending before this Court.

In this view of the matter, so far as the present writ petition is concerned, it is **disposed of** with a direction that the petitioner shall be permitted to join his duties, pursuant to the terms and conditions mentioned in the order dated 02.12.2023 passed by the Superintendent of Police, Lalitpur.

The petitioner shall submit his joining report before the Superintendent of Police, Lalitpur or the nominated officer, **by tomorrow i.e. 05.12.2023.**

The Registrar (Compliance) is directed to communicate this order to the Superintendent of Police, Lalitpur **today.**

Order Date :- 4.12.2023

I. Batabyal