

Court No. - 36

Case :- WRIT - A No. - 15300 of 2023

Petitioner :- Gajendra Singh

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

Counsel for Petitioner :- Bushra Maryam, Mohd. Shurjeel Najam

Counsel for Respondent :- C.S.C., Rahul Agarwal

Hon'ble Manjive Shukla, J.

1. Heard Ms. Bushra Maryam, learned counsel appearing for the petitioner, learned Standing Counsel appearing for Respondent No. 1 and Sri Rishabh Pratap Singh holding brief of Sri Rahul Agarwal, learned counsel appearing for Respondents No. 2 and 3.

2. Petitioner through this writ petition has challenged the order dated 24 July, 2023 passed by the Assistant Regional Manager, U.P.S.R.T.C. Meerut, whereby his services have been terminated.

3. Learned counsel appearing for Respondents No. 2 and 3 has raised preliminary objection regarding maintainability of this writ petition on the ground that petitioner has a remedy to challenge the order dated 24 July, 2023 by filing an appeal provided under Regulation 69 of U.P. State Road Transport Corporation, Service Regulations, 1981.

4. Learned counsel appearing for the petitioner could not deny the fact that petitioner has a remedy against the order dated 24 July, 2023 in the form of appeal under Regulation 69 of the aforesaid Regulations of 1981.

5. I have considered the preliminary objection raised by learned counsel appearing for Respondents No. 2 and 3 and I find that petitioner has efficacious and speedy remedy in the form of appeal under Regulation 69 of Regulations of 1981.

6. In view of the aforesaid reason, this writ petition is **dismissed** on the ground of alternative remedy.

7. In the interest of justice, it is provided that if petitioner files appeal against the order dated 24 July, 2023 before the competent authority within one month from today, appeal shall be decided by the competent authority on merits and shall not be rejected on the ground of delay.

Order Date :- 20.11.2023

Manoj