

Court No. - 35

Case :- WRIT - A No. - 16641 of 2023

Petitioner :- Nakul Yadav

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

Counsel for Petitioner :- Kalyan Sundram Srivastava, Som Sundaram Shriwastav

Counsel for Respondent :- C.S.C., Tanisha Jahangir Monir

Hon'ble Vikas Budhwar, J.

This case has been nominated before this Court by the order of the Hon'ble The Chief Justice.

Heard Sri Kalyan Sundram Srivastava, learned counsel for the writ petitioner, Sri Santosh Kumar Mishra, learned Standing Counsel who appears for the respondent no.1 and Sri Himanshu Kumar (AOR No.A/H0290/2022) holding brief of Sri T.J. Monir who appears for the respondents no. 2 and 3.

The case of the is that he was initially appointed as the Bus Driver in the respondent-Corporation on 31.10.1987 on contract/daily wage basis his services stood regularised on 13.5.1989, he took voluntary retirement on 8.6.2021 however his payment of salary was stopped when he was in duty, he preferred a representation, it came to be rejected on 24.11.2022 and according to the writ petitioner he had preferred an appeal under Rule 69 of the Uttar Pradesh State Road Transport Corporation Employees (Other than Officer) Service Regulation, 1981 before the Appellate Authority however the same has not been decided.

Prayer in the present petition is for disposal of the same.

Sri Himanshu Kumar holding brief of Sri T.J. Monir who appears for the respondents no. 2 and 3 on instructions submits that the appeal is maintainable and the same will be decided by the Appellate Authority within the time stipulated by this Court. He does not propose to file any response to the writ petition.

Considering the submissions of the rival parties as well as stand taken by them, the appeal preferred by the writ petitioner which is stated to be pending shall be decided within a period of two months from the date of presentation of the certified copy of the

order while passing a reasoned and speaking order if already not decided as per the rules.

With the aforesaid observation, the writ petition is **disposed off**.

Order Date :- 13.10.2023

piyush