

Court No. - 34

Case :- WRIT - A No. - 16863 of 2023

Petitioner :- Jay Prakash Yadav

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

Counsel for Petitioner :- Vinod Kumar Mishra, Varun Mishra

Counsel for Respondent :- C.S.C., A.S.G.I., Krit Raj Singh

Hon'ble Ajit Kumar, J.

1. Heard Sri Vinod Kumar Mishra, learned counsel for the petitioner, Sri Krit Raj Singh, learned counsel for the respondent nos.2 and 3 and learned Standing Counsel for the State.

2. By means of this petition filed under Article 226 of the Constitution of India, the petitioner has prayed for following relief as substantial relief:

"issue a writ, order or direction, in the nature of Mandamus, directing the Respondent no.1 to decide the statutory Appeal/Representation of the petitioner dated 14.06.2023 under Rule 25 of the U.P. Police Officers of the Subordinate Ranks (Punishment and Appeal) Rules, 1991, against the Punishment Order passed by the Respondent no.3 which is pending for consideration before the Respondent no.1 stipulated period."

3. Learned counsel appearing for the respondent nos.2 and 3 does not have any objection in the event pending appeal of the petitioner is directed to be decided as per the procedure prescribed for.

4. In view of the above, this petition stands ***disposed of*** with direction to the appellate authority, namely, respondent no.1 to dispose of the departmental appeal of the petitioner dated 14.06.2023 if it is still pending consideration, within a period of two months from the date of production of certified copy of this order.

5. Needless to add procedure prescribed for shall be strictly adhered to and the order to be passed shall be reasoned and speaking one.

Order Date :- 16.10.2023

Deepika