

Court No. - 34

Case :- WRIT - A No. - 17301 of 2023

Petitioner :- Dr. Saral Kumar

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Rajendra Singh Chauhan

Counsel for Respondent :- C.S.C.

Hon'ble Ajit Kumar,J.

Heard learned counsel for the parties.

By means of present petition filed under Article 226 of the Constitution, the petitioner has raised a grievance regarding denial of promotion of the petitioner even though enquiry report was submitted in his favour in disciplinary proceeding and various other junior persons to the petitioner against whom disciplinary proceedings were pending, have been promoted.

Learned Standing Counsel has drawn the attention of this Court towards order dated 31st May, 2017 whereby State Government had required the petitioner to make a representation directly to the State Government within 14 days regarding application earlier moved by the petitioner seeking leave which was not available to the enquiry officer and so enquiry officer could not examine him. Petitioner thereafter submitted his photocopy of the application for earned leave dated 6th March, 2016 and 9th March, 2015 to the State Government by representation dated 30th August 2017 but no action has been taken in the matter till date.

In view of above, this petition stands disposed of with direction to the concerned respondent to consider and decide the claim of the petitioner within a period of thirty days from the date of production of certified copy of this order. After decision of the State Government, petitioner's claim for promotion shall be considered in accordance with law and if he held entitled, then respondent shall accord him promotion from the date his juniors were promoted.

Order Date :- 19.10.2023

Sanjeev