

Court No. - 10

Case :- WRIT - A No. - 17940 of 2023

Petitioner :- Suresh Yadav

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Amit Kumar Mishra, Nagendra Kumar Mishra

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

Hon'ble Kshitij Shailendra, J.

1. This case has been nominated to this Bench under the orders of Hon'ble the Chief Justice.

2. Heard Shri Nagendra Kumar Mishra, learned counsel for the petitioner, learned Standing Counsel the State-respondent No.1, and Shri Himanshu Kumar, learned counsel holding brief of Ms. Tanisha Jahangir Monir, learned counsel for respondents No. 2 to 5.

3. Placing reliance upon certain Government Orders and nature of services rendered by the petitioner in the respondent-Department, a prayer for regularization of his services has been made.

4. It is contended that despite the successive applications, neither the services of the petitioner have been regularized nor has any order either way been passed and the petitioner, who is working on the post of driver in the Department since 2001, is suffering in multiple ways.

5. Considering the facts and circumstances of the case, the writ petition is **disposed of** in the following terms:

(i) The petitioner is directed to file a certified copy of this order along with a fresh application/representation and all relevant documents including the Government Orders, which he wants to place reliance on, before respondent No. 2, President/Chairman, Nagar Nigam, Ghaziabad **in the month of December, 2023.**

(ii) The respondent No. 2 shall forward the application/representation of the petitioner to the Competent Authority immediately within **one week** after its submission and appropriate order shall be passed by the Competent Authority **on**

or before 15.02.2024, after providing opportunity of hearing to the petitioner.

6. It is made clear that this Court has not adjudicated upon the merits of the claim of the petitioner for regularization of his services and it is for the Authority concerned to decide the same in accordance with law.

Order Date :- 30.11.2023

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