

Court No. - 34

Case :- WRIT - A No. - 19161 of 2023

Petitioner :- Satya Pal Singh

Respondent :- District Judge, Mainpuri

Counsel for Petitioner :- Muktesh Kumar Singh, Rakesh Kumar Yadav

Counsel for Respondent :- Ashish Mishra

Hon'ble Ajit Kumar, J.

Heard Sri M.K.Singh, learned counsel for the petitioner and Sri Chandan Sharma, learned counsel for the State respondents.

By means of present petition filed under Article 226 of the Constitution, the petitioner has questioned the order dated 20th September, 2023 passed by the District Judge, Mainpuri, imposing penalty as a result of departmental enquiry.

Sri Chandan Sharma, learned counsel has raised a preliminary objection and submits that petitioner has alternative efficacious remedy to file statutory appeal under Section 23(9) of the U.P. State District Court Service Rules, 2013, therefore, petitioner should avail the remedy of appeal in the first instance.

Learned counsel for the petitioner could not dispute to the above legal position.

In view above, I decline to entertain this petition at this stage against the order of major penalty dated 20th September, 2023. However, liberty rests with the petitioner to file statutory appeal under the relevant service rules.

With the aforesaid liberty, petition is consigned to records.

Order Date :- 17.11.2023

Sanjeev