

Court No. - 35

Case :- WRIT - A No. - 19086 of 2023

Petitioner :- Tej Ram

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

Counsel for Petitioner :- Indrajeet Kumar, Ashok Kumar
Srivastava

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar, J.

Heard learned counsel for the parties.

The contention of the learned counsel for the writ petitioner is that he is working as an Ad hoc Driver since 24.10.2000 and he seeks regularization under the U.P. Tadarth Niyuktiyoan Ka Viniyamitikan (IVth Amendment) Rules, 2021. Learned Standing Counsel who appears for the respondent No. 1 submits that consideration of the claim of the writ petitioner for regularization depends upon existence of the vacancies and the applicability of the rules coupled with suitability, he submits that the writ petitioner may represent his cause before the third respondent, The Regional Manager, U.P. State Road Transport Corporation, Mathura who shall consider the claim of the writ petitioner.

4. Prayer in the present petition is for direction to the respondents to regularize the service of the writ petitioner on the post of driver.

5. Learned Standing Counsel submits that the issue as to whether the writ petitioner is entitled to payment of salary needs determination at the first instance by the third respondent, The Regional Manager, U.P. State Road Transport Corporation, Mathura. He submits that he does not propose to file any response to the writ petition and the writ petitioner may represent his cause before the third respondent.

6. Considering the submission of the rival parties as well as the stand taken by them, the writ petition is being disposed of without seeking any response from the respondents while granting liberty to the writ petitioner to prefer a comprehensive representation before the third respondent, The Regional Manager, U.P. State Road Transport Corporation, Mathura who

shall along with the self attested copy of the writ petition and on the receipt of the same the third respondent shall consider the claim of the writ petitioner for regularization strictly in accordance with the rules and guidelines so applicable in whom within a period of three months from the date of production of certified copy of the order.

7. With the aforesaid observations, the writ petition stands disposed of.

Order Date :- 22.11.2023

Rajesh