

Court No. - 35

Case :- WRIT - A No. - 18768 of 2023

Petitioner :- Pramod Kumar Singh

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

Counsel for Petitioner :- Dinesh Singh

Counsel for Respondent :- C.S.C.,Sunil Kumar Misra

Hon'ble Vikas Budhwar,J.

This case has been nominated by Hon. The Chief Justice.

The case of the writ petitioner is that he retired from the post of Assistant Regional Manager on 30.11.2022 and on 25.11.2022 a major penalty was imposed. However the same was subject matter of challenge in Writ-A No.1760 of 2023 which came to be decided on 1.2.2023 with a direction to the respondents to make the payments.

According to the writ petitioner on 15.3.2023 another order is stated to have been passed whereby the order dated 25.11.2022 was recalled/set aside by the respondents.The claim of the writ petitioner is that he has not been paid the leave encashment.

Prayer in the present petition is for a direction to the second and the respondents, to pay the amount of leave encashment with interest.

Learned Standing Counsel as well as the counsel who has been accepted notice on behalf of respondents no. 2 and 3, Sri Sunil Mishra suggest that the issue with the writ petitioner is seeking to raise needs determination by the third respondent, Regional Manager (U.P.S.R.T.C.) Azamgarh Region, Azamgarh, thus according to them the writ petitioner may represent his cause before the third respondent who shall address to the claim of the writ petitioner. They further submit that they do not propose to file any response to the writ petition.

Considering the submissions of the rival parties as well as stand taken by them, the writ petition is being disposed off without seeking any response from the respondents granting liberty to the writ petitioner to prefer a comprehensive representation along with the self-attested copy of the writ petition before the third

respondent, Regional Manager (U.P.S.R.T.C.) Azamgarh Region, Azamgarh who shall on the receipt of the same and proceed to decide the claim of the writ petitioner strictly in accordance with law within a period of two months from the date of presentation of the certified copy of the order. In case the any other authority needs to be addressed then the papers be transmitted to it.

Needless to point out that the writ petition has been decided without seeking any response from the respondents. Thus, passing of this order may not be construed to an expression that this Court has gone into the merits of the case.

With the aforesaid observation, the writ petition is **disposed off**.

Order Date :- 22.11.2023

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