

Court No. - 34

Case :- WRIT - A No. - 19767 of 2023

Petitioner :- Dheeraj Kumar Yadav

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

Counsel for Petitioner :- Yatindra

Counsel for Respondent :- C.S.C.

Hon'ble Ajit Kumar,J.

1. Heard learned counsel for the parties.
2. Petitioner is aggrieved by the order of dismissal from service which is final in nature, dated 11.09.2023.
3. Learned Standing Counsel submits that the petitioner has an alternative efficacious remedy of appeal under the U.P. Police Officers of Subordinate Ranks (Punishment and Appeal) Rules, 1991 and therefore, he should first avail that remedy. He submits that after the appellate order also there is a remedy of revision.
4. Learned counsel for the petitioner could not dispute the above legal position. However, he submits that the manner in which the oral enquiry was got conducted i.e. an *ex parte manner*, this Court may interfere in the matter at this stage.
5. Having heard learned counsel for the respective parties, I am of the considered view that all the legal pleas that are taken before the Court can equally be taken before the appellate authority and in the event petitioner files statutory appeal within a period of four weeks from today raising all his grievances, the appellate authority shall be addressing all those issues and shall be passing final orders disposing of the appeal within the next two months' time giving opportunity of hearing to the petitioner and at the same time following the procedure prescribed for.
6. With the aforesaid observations and directions, this petition stands ***disposed of***.

Order Date :- 29.11.2023

Deepika