

Court No. - 34

Case :- WRIT - A No. - 19848 of 2023

Petitioner :- Pawan Verma

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

Counsel for Petitioner :- Jitendra Kumar Srivastava

Counsel for Respondent :- CSC

Hon'ble Ajit Kumar,J.

The petitioner is aggrieved by the order of District Commandant dated 30th May, 2023 whereby he has been restrained from discharging his duty as home-guard and also the order dated 12.10.2022 whereby he has been finally discharged from home-guard establishment.

Learned counsel for the petitioner states that action has been taken *de hors* the procedure prescribed under the Government Order dated 02.12.2016.

Learned Standing Counsel submits that rules have been followed and petitioner has an alternative remedy of appeal before Divisional Commandant, Home-guard against the order of District Commandant, Home-guard, Basti.

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

In view of above, while I decline to entertain this petition at this stage, I hereby provided that in the event petitioner prefers appeal/representation within four weeks from today as per the Government Order dated 02.12.2016 to the Divisional Commandant Home guard concerned, the same shall be disposed within a further period of sixty days dealing with the grounds raised in such representation/ appeal .

With the aforesaid observations and directions, this petition is disposed of.

Order Date :- 30.11.2023

Sanjeev