

Court No. - 34

Case :- WRIT - A No. - 20647 of 2023

Petitioner :- Ajay Kumar Mishra

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Hemant Kumar, Ashutosh Kumar Mishra

Counsel for Respondent :- C.S.C.

Hon'ble Ajit Kumar, J.

Heard Sri Hemant Kumar, learned counsel for the petitioner and learned Standing Counsel.

Petitioner, who is working as Head Operator is seeking promotion as Radio Sub Inspector as his claim has already been considered by the Departmental Promotion Committee on 22.07.2022, however, the same has been placed in sealed cover.

Learned counsel for the petitioner submits that there is no good ground to place the matter of promotion of the petitioner in sealed cover on account of any third party matrimonial dispute between husband and wife in which he has been just implicated as respondent by the husband and so it cannot itself be a ground to place the candidature of the petitioner in a sealed cover. It is neither in the category of criminal case arising of, nor related to any misconduct in discharge of official duty by the petitioner. He submits that even that divorce Case No. 158 of 2023 has been dismissed on 22.07.2022.

Learned Standing Counsel submits that in the event there is no criminal case pending and no departmental enquiry has been initiated against the petitioner and pending, petitioner's claim for promotion by opening sealed cover procedure can be accorded due consideration provided the petitioner approaches the authority afresh.

Learned counsel for the petitioner at this stage submits that petitioner has already approached the authority by making representation dated 24.03.2023 and consequently reminder made in respect thereof on 18.11.2023, copy whereof has been brought on record as Annexure No. 6 to the writ petition.

In view of the above, this petition stands **disposed of** with a direction to the concerned competent respondent to consider and dispose of the pending representation of the petitioner as expeditiously as possible preferably within a period of two months from the date of production of certified copy of this order.