

Court No. - 8

Case :- WRIT - A No. - 13429 of 2019

Petitioner :- Om Prakash

Respondent :- State Of U.P. Thru Secy. Law Judicial Lucknow And Ors.

Counsel for Petitioner :- Anil Kumar Singh, Atul Kumar Singh, Rajesh Kumar Asthana, Sanandan Kumar Misra

Counsel for Respondent :- C.S.C., Gaurav Mehrotra, U.N. Misra, Vijay Dixit

Hon'ble Dinesh Kumar Singh, J.

1. Heard learned counsel appearing for the accused-petitioner, learned Additional Chief Standing Counsel appearing for the State and Sri Vijay Dixit, Advocate appears for respondent No.2.
2. Present petition under Article 226 of the Constitution of India has been filed seeking quashing of the order dated 05.01.2019 passed by the then District Judge, Hardoi on the representation of the petitioner in compliance of the order dated 01.10.2018 passed by this Court in Writ Petition No.28367(SS) of 2018 instituted by the petitioner.
3. The petitioner got retired as Class IV employee from the District Judgeship, Hardoi on 31.05.2018. The petitioner was initially appointed on 01.05.1980 on the post of Process Server. He demitted office on 31.05.2018 on attaining the age of superannuation. After retirement, the petitioner moved a representation on 09.07.2018 for deleting the adverse entries in his service records and payment of A.C.Ps. treating his service to be satisfactory. When no decision was taken on the said representation of the petitioner, he filed Writ Petition No.28367(SS) of 2018, which came to be disposed of by this Court vide order dated 01.10.2018 with a direction to decide his representation.
4. The then District Judge, Hardoi has considered the representation of the petitioner and vide detailed impugned order has rejected the same.
5. Impugned order would disclose that the petitioner was punished on several occasions for his dereliction of duty. One of the conditions for granting benefit of A.C.P. scheme is satisfactory service of an employee. Impugned order would disclose that the petitioner was punished several time, therefore, his services were not satisfactory and, therefore, he was not entitled to benefit of A.C.P. scheme.

6. I find impugned order passed by the then learned District Judge cogent, reasonable, legal and valid, which does not require any interference by this Court in exercise of its jurisdiction under Article 226 of the Constitution of India. The petition being devoid of merit and substance is hereby **dismissed.**

(Dinesh Kumar Singh, J.)

Order Date :- 3.7.2023
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