

Court No. - 20

Case :- WRIT - A No. - 3275 of 2022

Petitioner :- Dr. Indra Bhawan Tiwari

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Dept. Of Medical Health And Family Welfare Lko. And 2 Others

Counsel for Petitioner :- Mrinal Tripathi, Birendra Narain Shukla

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur, J.

1. Heard learned counsel for petitioner and learned State Counsel appearing on behalf of opposite parties.

2. Petition has been filed seeking the following reliefs:-

" i. issue a writ, order or direction in the nature of Mandamus commanding and directing to the Opposite Parties to promote the petitioner on the post of Medical Officer Grade-2 (Level-2) in pay scale Rs. 15600-39100 grade pay Rs.6600.00 and on the post of Medical Officer, grade-3 (Level-3) in pay band Rs. 15600-39100 grade pay Rs.7600.00 from the date of promotion of his juniors placed below him in the seniority list of medical officers of Provincial Medical with all consequential service benefits.

ii. issue any other writ order or direction in the nature and manner, which this Hon'ble Court may deem fit, proper and just in the circumstances of the case."

3. It has been submitted that in similar circumstances, this Court at Allahabad in Writ A No.7438 of 2022; Dr. Sunil Kumar & 37 Ors. versus State of U.P. & Ors has passed an interim order dated 31.05.2022 requiring opposite party to consider their claim for grant of promotion to Level II Category with Notional benefits.

4. It has been submitted that petitioner's case would also be covered by the aforesaid directions issued by this Court at Allahabad.

5. Considering innocuous prayer being made by learned counsel for petitioner and without entering into the merits of the case petitioner is granted liberty to file a fresh representation before concerned authority. In case such a representation is filed, the same shall be considered and decided in the light of aforesaid interim direction passed by this Court at Allahabad in the above indicated petition in case petitioner is eligible and qualified for the same by a reasoned and speaking order within a period of six weeks from the date a certified copy of this order is produced before the said authority.

6. With the aforesaid observation, petition stands **disposed of**.

Order Date :- 31.10.2023

Subodh/-