

Court No. - 8

Case :- WRIT - A No. - 4372 of 2023

Petitioner :- Ramnath Singh Pno. No. 972464897

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Dept. Home U.P. Civil Secrett. Lko. And 3 Others

Counsel for Petitioner :- M.P. Raju

Counsel for Respondent :- C.S.C.

Hon'ble Dinesh Kumar Singh,J.

1. Heard Shri M.P. Raju, learned counsel for the petitioner and Shri Prafulla Kumar Yadav, learned Additional Chief Standing Counsel appearing for the State-respondents.
2. The petitioner has approached this Court by filing present writ petition under Article 226 of the Constitution of India for quashing of the order dated 23.03.2023, whereby petitioner's request for giving him temporary/ad-hoc promotion till the pendency of a case registered against him as Case Crime No.383 of 2005 under Section 223 and 224 I.P.C., Police Station-Wazirganj, District-Lucknow is finalized as provided in the Government Order dated 28.05.1997.
3. The said request of the petitioner has been declined vide order dated 23.03.2023, in which it has been said that the Departmental Promotion Committee found that in the aforesaid case, the petitioner had appeared only on seven dates out of thirteen dates fixed before the trial court and the petitioner himself is responsible for delaying the trial of the said case.
4. It is further said that the petitioner's case has not been recommended as the competent authority has not found him fit to be promoted even on temporary/ad-hoc basis.
5. In paragraph-10 of the Government Order dated 28.05.1997, it is provided that if the competent authority finds the person eligible for promotion pending criminal proceedings then only his case for promotion shall be forwarded to the Departmental Promotion Committee for considering his case for promotion on temporary/ad-hoc basis. As the petitioner has not been found fit to be recommended for promotion, the Departmental Promotion Committee has not considered his case and he has not been recommended.
6. Considering the aforesaid facts, I find nothing wrong in the impugned order. The petitioner should cooperate in the trial so that it gets concluded at an early date, thereafter, his case for

promotion should be considered.

7. In view thereof, the present petition stands finally **disposed of.**

(Dinesh Kumar Singh, J.)

Order Date :- 31.5.2023

Piyush/-