

Court No. - 8

Case :- WRIT - A No. - 26978 of 2017

Petitioner :- Suresh Pratap Singh

Respondent :- State Of U.P. Thru. Secy. Home And Ors.

Counsel for Petitioner :- Vashu Deo Mishra

Counsel for Respondent :- C.S.C.

Hon'ble Dinesh Kumar Singh,J.

1. Heard learned counsel appearing for the petitioner and learned Additional Chief Standing Counsel appearing for the State.
2. Present petition under Article 226 of the Constitution of India has been filed seeking quashing of the order dated 07.02.2017 passed by U.P. Police Recruitment and Promotion Board, Lucknow.
3. The petitioner is an accused in FIR No.333 of 2010 registered at Police Station Kavinagar, Ghaziabad under Sections 343, 217, 218 IPC, 3(2)(7) of the S.C./S.T. (Prevention of Atrocities) Act.
4. Case of the petitioner for promotion to the post of Inspector, Civil Police from Sub-Inspector in which proceedings of departmental promotion committee held on 17.02.2017 and result of promotion of the petitioner has been kept in a sealed cover due to pending criminal case. The petitioner has challenged the charge-sheet in the said FIR before this Court by filing Application u/s 482 No.9630 of 2017.
5. In the identical case, this Court in Writ A No.37684 of 2016 allowed the writ petition and directed the Inspector General of Police (Establishment) U.P. Police Head Quarter to consider the claim of the petitioner and pass an appropriate order within a period of 6 months.
6. Sri Rajeev Singh Chauhan, learned Additional Chief Standing Counsel does not dispute the fact that case of the petitioner is covered by the judgment and order dated 13.02.2020 passed in Writ A No.37684 of 2016.
7. In view thereof, present writ petition is **disposed of** in terms of the judgment and order dated 13.02.2020 passed in Writ A No.37684 of 2016. The respondents are directed to open the seal cover of the petitioner. If the

petitioner is found to be successful in promotion, he should be given provisional promotion subject to outcome of criminal case pending against him.

(Dinesh Kumar Singh, J.)

Order Date :- 6.7.2023
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