

Court No. - 5

Case :- WRIT - A No. - 6403 of 2009

Petitioner :- Laxman Singh

Respondent :- State Of U.P.Through Its Principal Secretary Lok Nirman Vibh

Counsel for Petitioner :- M.Ahsan Faridi,Rizwan Ahmad,Zubair Hasan

Counsel for Respondent :- C.S.C.

Hon'ble Irshad Ali,J.

1. Heard learned counsel for petitioner and learned Standing Counsel for the State-respondents.

2. Factual matrix of the case is that the petitioner was granted appointment as daily wager on the post of Beldar (Class IV) in the month of January, 1990 and he continued till August 1992. In September 1992, the petitioner was terminated by means of oral orders in pursuance to the directions of Engineer-in-Chief, Lok Nirman Vibhag, Lucknow, U.P. For the reinstatement, petitioner filed several representations on 27.08.1993, 29.07.1994, 26.02.2002, 25.10.2007 and 14.11.2008 but no order has been passed on the representations filed by the petitioner. Thereafter, in 2009, the petitioner filed the present writ petition.

3. Submission of learned counsel for petitioner is that despite of his best effort, no decision was taken on the representations filed by the petitioner and in case direction is issued to decide the same, justice would be met. He further submits that there is no justification done on the part of the respondent no.2 in not deciding representation of the matter and keeping the matter pending since long. At an action of the respondent is wholly arbitrary and discriminatory in nature.

4. On the other hand, Shri Sandeep Srivastava, learned Standing Counsel submits that in case representation already pending consideration before the respondent no.2, the same shall be decided in accordance with law within a reasonable period.

5. In view of the above, there shall be no justification to keep the writ petition pending. Accordingly, the writ petition is finally ***disposed of*** with liberty to the petitioner to file a comprehensive representation before the respondent no.2-Engineer-in-Chief, Lok Nirman Vibhag, Lucknow, U.P. within a period of two weeks from the date of production of certified copy of this order.

6. Respondent no.2 shall pass appropriate reasoned and speaking order on the representation so filed within a period of six weeks from the date of production of certified copy of this order.

Order Date :- 2.11.2023

-Amit K-