

Court No. - 8

Case :- WRIT - A No. - 4977 of 2023

Petitioner :- Dr. Shashi Prakash Singh

Respondent :- State Of U.P. Thru. Prin. Secy., Medical, Health And Family Welfare, Lucknow And Another

Counsel for Petitioner :- Abhilash Kumar Singh, Amrendra Kumar, Neeraj Kumar Baghel, Saaranish Sarkar

Counsel for Respondent :- C.S.C.

Hon'ble Dinesh Kumar Singh, J.

1. Heard Mr. Ambuj Dixit, learned counsel for the petitioner, as well as Mr. Rajiv Singh Chauhan, learned Additional Chief Standing Counsel for the respondent-State Authorities.
2. The present petition under Article 226 of the Constitution of India has been filed for issuance of a writ of Mandamus commanding the respondents to grant the petitioner notional promotion to the petitioner on Level-IV i.e. Joint Director Grade with effect from 11.02.2008.
3. The petitioner was appointed as Medical Officer, Class-II, in the year 1987; on 12.10.2006, the petitioner was promoted to the post of Deputy Chief Medical Officer, Level-III, in the pay-band of Rs.12000-16500.
4. According to the petitioner, he was superseded, and his juniors were promoted to Level-IV, Joint Director Grade in the year 2008. The petitioner took voluntary retirement from service on 20.04.2008.
5. The petitioner has approached this Court after fifteen years from the date of his alleged supersession in the year 2008, seeking notional promotion with effect from 11.02.2008.
6. There are gross delay and laches in approaching this Court by the petitioner for the relief sought in the present petition. If the petitioner was aggrieved by his supersession or by ignorance of his claim for promotion to Level-IV, he ought to have approached this Court on time.
7. Considering gross delay and laches, at this belated stages, when the petitioner got retired, the reliefs sought by him in the present petition cannot be granted. Hence, this petition, being devoid of merit and substance, is hereby **dismissed at this stage itself.**

[D.K. SINGH, J.]

Order Date :- 14.7.2023

MVS/-