

Court No. - 20

Case :- WRIT - A No. - 7727 of 2023

Petitioner :- Jagdish Narayan Lal

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Deptt. Of Revenue Lko. And 2 Others

Counsel for Petitioner :- Akhilesh Kumar Pandey, Swadha Gupta

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur, J.

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

Petition has been filed seeking a direction to the opposite parties to consider and decide petitioner's representation dated 20th May, 2023 against order dated 12th May, 2023.

It has been submitted that petitioner was earlier appointed as Lekhpal on 13th April, 1976 whereafter he was convicted in sessions trial No.303 of 1978 under Section 396 IPC. The said conviction was thereafter challenged before this Court in criminal appeal No. 2376 of 1979 and was allowed vide judgment and order dated 22nd March, 1993 and conviction and sentence of life imprisonment was set aside. It is submitted that in pursuance thereof, petitioner submitted his joining in the department, which although was allowed but was treated to be a fresh appointment and services rendered prior to his conviction were not taken into account.

It is submitted that petitioner gave representations against aforesaid act of opposite parties and his representation was thereafter allowed by means of order dated 2nd January, 2023 whereafter consequential order was also passed on 28th January, 2023 directing petitioner to submit a certificate that he was not gainfully employed in the meantime but order dated 12th May, 2023 has thereafter been passed ignoring the aforesaid aspects and dwelling only on the aspect the petitioner was enlarged on bail in criminal appeal but the aspect of petitioner's criminal appeal having been allowed has not been considered.

Against aforesaid order dated 12th May, 2023 petitioner has filed a representation, which is required to be decided.

Considering submissions advanced by learned counsel for petitioner, the opposite party No.1 i.e. Additional Chief Secretary, Department of Revenue, Civil Secretariat, U.P.,

Lucknow is directed to decide petitioner's representation dated 20th May, 2023 against order dated 12th May, 2023 keeping in mind the aforesaid aspects. The representation shall be decided by speaking and reasoned order within six weeks from the date a certified copy of this order is submitted before him.

With the aforesaid observations, the writ petition stands **disposed of.**

Order Date :- 10.10.2023
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