

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5101 of 2023

Petitioner :- Brijendra Kumar Mishra

Respondent :- Union Of India Thru. Secy. Postal Deptt. New Delhi And 2 Others

Counsel for Petitioner :- Ashok Kumar Bajpai, Ramesh Kumar Singh, Sudhir Kumar Bharti

Counsel for Respondent :- A.S.G.I.

Hon'ble Saurabh Lavania, J.

Heard learned counsel for the petitioner and Shri S.B. Pandey, Senior Advocate, and DSGI assisted by Shri Varun Pandey, Advocate, appearing for opposite party Nos.1 to 3.

The present petition has been filed with the following prayer:

"1. Any order or direction to the opposite party no.2 Director Postal Service, District Prayagraj to decide the appeal (Memorandum No.B/DP/Brijendra Kumar Mishra/2020) which has been preferred by the petitioner against the judgment and order dated 19.06.2022 within a period of 3 months, in the interest of justice."

It is submitted that a large number of dates have been fixed in the case, however, the matter has not yet been decided till date and on account of pendency of the revision in issue, petitioner is suffering great hardship and mental agony. Prayer is to direct the respondent No.2 to decide the case, in issue.

Learned standing counsel submits that he has no objection in case an expedite order is passed.

Considering the facts and circumstances, this Court is of the opinion that no gainful purpose will be served in keeping the aforesaid petition pending rather ends of justice can be served by directing the respondent No.2-Director, Postal Service, District-Prayagraj, to consider and decide the Appeal (Memorandum No.B/DP/Brijendra Kumar Mishra/2020), most expeditiously, affording full opportunity of hearing to the parties, but without granting any unnecessary adjournment to either of the parties preferably within a maximum period of six months from the next date fixed in the case, if possible and if there is no other legal impediment in this regard.

It is made clear that this Court has not examined the case of either of the parties on merits and the authority concerned shall be free to decide the matter strictly in accordance with law.

With the aforesaid, the petition is **disposed** of.

Order Date :- 10.10.2023/Raj