

Court No. - 20

Case :- WRIT - A No. - 7831 of 2023

Petitioner :- Niyaz Ahmad, P.N.O. 952464745

Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Of Home U.P. Lko.
And 4 Others

Counsel for Petitioner :- Surendra Kumar Mishra

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur,J.

1. Heard learned counsel for petitioner and learned State Counsel for opposite parties.
2. Petition has been filed seeking a direction to opposite parties to permit petitioner to join in service and for payment of monthly salary during pendency of departmental enquiry.
3. From the material on record, it appears that earlier petitioner was transferred to District Lakhimpur Kheri on 11.09.2017 but petitioner did not join and an enquiry has been instituted against petitioner, which is still pending consideration.
4. It has been submitted that although petitioner has been permitted to join at his place of posting but salary has not yet been paid to him. It has also been submitted that despite pendency of enquiry proceedings, petitioner has not been placed under suspension and therefore he is entitled to his salary.
5. For the said grievance, petitioner has already submitted a representation but seeks liberty to file a fresh representation before the authority concerned. At present, learned counsel for petitioner restricts prayer with regard to final decision on the same.
6. Considering the innocuous prayer, without entering into merits, liberty is granted to petitioner to file a fresh representation before opposite party no.3 i.e. Deputy

Commissioner of Police, Lucknow who shall consider and decide the same within a period of six weeks from the date a certified copy of this order is produced before the said authority along with fresh representation.

7. With aforesaid observations and directions, the petition is finally **disposed of**.

Order Date :- 10.10.2023

kvg/-