

Court No. - 20

Case :- WRIT - A No. - 8089 of 2023

Petitioner :- Vijay Prakash Tripathi And Another

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Home, Lucknow And 2 Others

Counsel for Petitioner :- Mohd. Mansoor, Mohammad Danish

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur, J.

1. Heard learned counsel for petitioners and learned State Counsel for opposite parties.
2. Petition has been filed challenging letter dated 04.10.2023 issued by the Director General, Fire and Emergency Service U.P. Lucknow recommending reversion of petitioner.
3. It has been submitted that earlier there was some dispute regarding seniority list for the post of Fire Station, Second Officer, which was adjudicated upon by the Public Services Tribunal redrawing the seniority list. In pursuance thereof, petitioner was placed higher in the redrawn seniority list and in terms thereof was promoted on the post of Chief Fire Officer. It is submitted that subsequently the aforesaid redrawn seniority list was challenged before this Court and was set aside. Petitioner has already been challenged the aforesaid judgment in Special Appeal No. 68 of 2023 which is pending consideration along with an application for interim relief.
4. It has been submitted that despite pendency of Special Appeal, the opposite parties have now initiated process for reversion of petitioner and there is grave apprehension that final orders will be passed without affording opportunity of hearing to petitioners.
5. Considering submissions advanced by learned counsel for petitioner, it is directed that in case opposite parties pass any final orders in pursuance of order dated 04.10.2023, petitioners shall be afforded an opportunity of hearing prior to passing of any such order.
6. Considering the innocuous prayer, without entering into merits, liberty is granted to petitioner to file a fresh representation before opposite party no. 2 i.e. Principal Secretary, Home (Police), Section-8, Government of U.P., Civil

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

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

Order Date :- 17.10.2023

Satish