

Court No. - 7

Case :- WRIT - A No. - 8205 of 2023

Petitioner :- Lallan Ram (Id No. 92071)

Respondent :- State Of U.P. Thru. Addl. Chief Secy., Deptt. Of Energy Lko. And 3 Others

Counsel for Petitioner :- Akber Ahmad, Maria Fatima, Sheeran Mohiuddin Alavi, Wali Nawaz Khan

Counsel for Respondent :- C.S.C., Neerav Chitravanshi

Hon'ble Abdul Moin, J.

Heard learned counsel for the petitioner, learned Standing Counsel for respondent no. 1 and Shri Neerav Chitravanshi, learned counsel for the respondents no. 2 to 4.

With the consent of learned counsel appearing for the contesting parties, the writ petition is being finally decided.

The instant writ petition has been filed praying for following main reliefs:

"(i) to issue a writ, order or direction in the nature of mandamus commanding the respondent authorities specifically respondents no. 3 and 4 to consider the claim of the petitioner for ad-hoc promotion on the post of Superintending Engineer in respondent no.2 corporation in accordance with the provisions contained in paragraph 10 of the government order bearing no. 13/21/89-Ka-1-1997 dated 28.05.1997, with all consequential benefits."

The contention of learned counsel for the petitioner is that the claim of promotion of the petitioner to the post of Superintending Engineer was considered by the respondents but was kept in sealed cover on account of pendency of criminal proceedings.

Reliance has been placed on a government order dated 28.05.1997, a copy of which is annexure 7 to the petition, to contend that it is indicated in the said government order that where a proceedings is expected to continue for long period of time then the person concerned can be considered for ad-hoc promotion.

After arguing the matter at some length, learned counsel for the petitioner submits that with regard to the reliefs sought in the writ petition, the petitioner may be permitted to submit a fresh representation before the respondent no.3 i.e. Chairman, U.P. Power Corporation Ltd, Lucknow which may be directed to be decided within a time frame fixed by this Court to which

learned Counsel for the respondents have no objection.

In view of the above, it is provided that in case the petitioner submits a representation within two weeks from today before respondent no.3 then respondent no.3 shall endeavour to decide the same by means of a reasoned and speaking order in accordance with law and the relevant rules within a further period of six weeks from the date of submission of the representation along with certified copy of this order.

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

It is made clear that this Court has not gone into the merits of the claim set forth by the petitioner.

Order Date :- 19.10.2023

J.K. Dinkar