

Court No. - 7

Case :- WRIT - A No. - 8319 of 2023

Petitioner :- Mukul Rastogi

Respondent :- U.P. Power Corp. Ltd. Thru. Its Managing Director Lko. And 3 Others

Counsel for Petitioner :- Prabhat Kumar Upadhyay, Sunil Kumar Verma

Counsel for Respondent :- Neerav Chitravanshi, Alok Saran

Hon'ble Abdul Moin, J.

Heard learned counsel for the petitioner, Shri Neerav Chitravanshi, learned counsel appearing for the respondents no. 1 and 2 and Sri Ashutosh Verma, Advocate holding brief of Shri Alok Saran, learned counsel appearing for the respondent no.3 and 4.

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

Instant petition has been filed praying for mandamus commanding the respondents to refund the petitioner Rs. 2,51,760/- which was deposited by the petitioner under compulsion.

Contention of learned counsel for the petitioner is that he had retired on attaining the age of superannuation on 30.01.2022 from the post of Junior Engineer. At the time of his retirement, the respondents have indicated certain amount as due against the petitioner which was to be recovered and the petitioner has deposited an amount of Rs. 2,51,760/-. In pursuance thereof, contention of learned counsel for the petitioner is that as the petitioner has retired, the aforesaid amount should be refunded.

Learned counsel for the petitioner, after arguing at length, submits that with regard to the relief sought in the writ petition, the petitioner may be permitted to submit a fresh representation before the respondent No.3 which may be directed to be decided within a fixed time frame to which learned Additional Chief Standing Counsel has no objection.

In view of the above, it is provided that in case the petitioner submits a representation within two weeks from today before the respondent No.3 then the respondent No.3 shall endeavour to

decide the same by means of a reasoned and speaking order within a further period of six weeks from the date of receipt of a certified copy of this order along with representation.

With the aforesaid direction, writ petition is disposed of.

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

Order Date :- 19.10.2023

Mohit Singh/-