

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 8437 of 2023

Petitioner :- Ashish Kumar Dixit

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

Counsel for Petitioner :- Smt.Anita Mishra,Devendra Kumar Singh,Suresh Sharma

Counsel for Respondent :- G.A.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

Heard learned counsel for the petitioner, learned A.G.A. for the State/Respondents and perused the record.

This petition has been filed with the following main prayers :-

"(i). Issue a writ, order or direction in the nature of mandamus commanding the opposite party no. 2 i.e. District Magistrate, Lakhimpur- Kheri to decide the representation dated 25.01.2023 sent by the petitioner within stipulated time, in the interest of justice."

It has been submitted by learned counsel for the petitioner that petitioner had applied for a contract on 02.11.2022. The police report that was supposed to be filed in the concerned police station was returned saying that case crime no. 327/2021, under Section 188, 271 I.P.C. is pending against the petitioner at Police Station Mohammadi, Kheri. The petitioner has confessed the offence and deposited the amount of fine Rs.1000/- as per Government Order No.1042WC/Saat Nayay-5-2021-104WC/292 dated 26th October, 2021. A photocopy of the receipt of the fine deposit of Rs.1,000/- dated 28.10.2022 has been filed as annexure No.2 to the writ petition.

However, without looking this fact, the police report has been submitted. The petitioner being aggrieved has filed a representation to the District Magistrate, Lakhimpur Kheri on 25.01.2023 which has not been decided. Hence, this writ petition.

The writ petition is **disposed of** with a direction to the District Magistrate, Lakhimpur Kheri to decide the representation of the petitioner in accordance with law within three weeks from the

date of receipt of copy of this order. It is clarified that this Court has not entered into the merits of the controversy.

Order Date :- 2.11.2023

ML/-