

Court No. - 20

Case :- WRIT - A No. - 8434 of 2023

Petitioner :- Home Guard 1336 Jawahar Lal Gautam

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Home Guards Lko
And 3 Others

Counsel for Petitioner :- Puttu Lal Misra

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 consider petitioner's representation regarding continuance in service in light of Government Order dated 04.10.2023 and for release of salary with effect from 01.08.2022.
3. It has been submitted that earlier petitioner had filed WRIT - A No. - 5731 of 2022 challenging his superannuation from the department. The aforesaid petition was dismissed vide judgment and order dated 06.09.2022 granting him liberty to file an appropriate representation with regard to challenge of date of birth as recorded in his service book.
4. It is submitted that in pursuance thereof petitioner submitted representation dated 03.11.2022, which is still pending consideration. However, learned counsel for petitioner submits that aforesaid representation is not very happily worded without the exact prayer being indicated and therefore seeks liberty to file a fresh representation.
5. Considering the innocuous prayer, without entering into merits, liberty is granted to petitioner to file a fresh representation regarding change in date of birth before opposite party no.3 i.e. Deputy Commandant General, Home Guards at Prayagraj who shall consider and decide the same within a

period of eight weeks from the date a certified copy of this order is produced before the said authority along with fresh representation.

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

Order Date :- 31.10.2023

kvg/-