

Court No. - 7

Case :- WRIT - A No. - 8436 of 2023

Petitioner :- Dr. Ashok Balyan

Respondent :- State Of U.P. Thru. Prin. Secy. Dairy Development Deptt. Lko. And 2 Others

Counsel for Petitioner :- Pradeep Kumar Tripathi

Counsel for Respondent :- C.S.C.,Shanker Lal,Satya Vart Shukla

Hon'ble Abdul Moin,J.

Heard learned counsel for the petitioner, learned Standing Counsel and Shri Satya Vrat Shukla, learned counsels for the respondents.

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

At the very outset Shri P. K. Singh, learned Additional Chief Standing Counsel appearing for the respondent no. 1 informs that in pursuance to the earlier order of this Court instructions have been received per which the alleged appeal which was filed by the petitioner is itself not maintainable in accordance with the service rules and consequently there is no occasion for the appellate authority to have decided the said appeal.

The aforesaid statement is recorded.

Learned counsel for the petitioner submits that with regard to the relief sought in the writ petition, the petitioner may be permitted to submit a representation before the respondent no.3 i.e. Managing Director / Chairman (Administrative Committee), Pradeshik Cooperative Dairy Federation Limited, Lucknow which may be directed to be decided within a fixed time frame to which learned 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 three months 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 claim set forth by the petitioner.

Order Date :- 23.11.2023

J.K. Dinkar