

Court No. - 7

Case :- WRIT - A No. - 8463 of 2023

Petitioner :- Ramesh Kumar

Respondent :- Managing Director U.P. State Road Transport Corporation Head Quarter Lko And 2 Others

Counsel for Petitioner :- Saurabh Tiwari, Poorendu Mishra

Counsel for Respondent :- Sudhanshu Chauhan

Hon'ble Abdul Moin, J.

Heard learned counsel for the petitioner and Sri Sudhanshu Chauhan, learned counsel appearing on behalf of all the respondents.

Instant writ petition has been filed praying for a Mandamus commanding the respondents to pay the four annual increment and also the service benefits for the suspension period to the petitioner.

The contention of learned counsel for the petitioner is that while the petitioner was working on the post of Conductor, initially his services were suspended vide order dated 09.01.2014. Subsequent thereto, a charge sheet was issued to the petitioner and after due inquiry, he was initially removed from service through the order dated 02.11.2015. Being aggrieved, the petitioner filed an appeal which was also rejected. Still being aggrieved, the petitioner filed a revision and the revisional authority vide order dated 25.03.2021, a copy of which is annexure 9 to the writ petition modified the order of removal to that of withholding of one increment for a period of four years and directing that no financial benefit would be given to the petitioner for the period of suspension but there would be continuity in service.

The order dated 25.03.2021 has not been challenged by the petitioner. Still by means of the petition, a prayer has been made for direction to the respondents to pay the four annual increments and also the service benefits to the petitioner.

Once no challenge has been raised to the order of punishment dated 25.03.2021 consequently, this Court cannot issue any order for the respondents to pay the increments which already stands withheld in terms of the punishment order or any direction for grant of service benefits for the period of suspension. .

Considering the aforesaid, no case for interference is made out. Accordingly, the writ petition is dismissed.

Order Date :- 1.11.2023

Pachhere/-