

Court No. - 20

Case :- WRIT - A No. - 8572 of 2023

Petitioner :- Ramesh Kumar Dubey

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

Counsel for Petitioner :- Sudhir Kumar Pandey, Rama Niwas Pathak

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. On 03.11.2023, following order had been passed:-

"1. Heard learned counsel for petitioner and learned State Counsel appearing on behalf of opposite parties.

2. It has been submitted that earlier petitioner who was working in the Consolidation Department was sent on deputation to the Revenue Department vide order dated 18.08.2023. The said order was stayed by this Court in Writ A No.15417 of 2023. It is submitted that subsequently vide order dated 01.10.2023, another order was passed by the State Government whereby such persons sent on deputation could have been retained in the exigencies of service. The said order was also stayed in Writ A No.16496 of 2023; Dinesh Pratap Yadav & Ors. versus State of U.P. & Ors.

3. It is submitted that impugned order dated 10.10.2023 has thereafter been passed purportedly in compliance of directions issued by this Court but column v of the order indicates posting of petitioner in the Collectorate, Ambedkar Nagar, which comes under the Revenue Department and therefore instead of complying with the interim orders passed by this Court, in fact the same have been flouted by re-deputing petitioner in Revenue Department.

4. With regard to aforesaid submissions, learned State Counsel is granted a week's time to obtain instructions in this matter.

5. List this case on 16.11.2023, as fresh.

6. Till the next date of listing, it is directed that petitioner shall not be compelled to join at the transferred place in pursuance of order dated 10.10.2023."

3. In pursuance thereof, learned State Counsel has been provided written instructions dated 20.11.2023, which are taken on record and as per which the impugned order has been recalled by opposite parties.

4. In view of aforesaid, the petition having rendered infructuous is consigned to record without any adverse effect upon any benefit granted to petitioner.

Order Date :- 21.11.2023

kvg/-