

Court No. - 20

Case :- WRIT - A No. - 8998 of 2023

Petitioner :- Ram Ji Dubey

Respondent :- State Of Up Thru Prin Secy Deptt Of Medical And Health
Civil Sectt Lko And 3 Others

Counsel for Petitioner :- Janardan Dixit

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur,J.

Heard learned counsel for petitioner and learned State Counsel for opposite parties 1 to 4 and Mr. Tushar Mittal learned counsel who has filed his power on behalf of opposite party No.5 which is taken on record.

Mr. Mittal has raised a preliminary objection regarding maintainability of this petition since in the pleadings itself it has been averred that petitioner is an employee of the private company running ambulances in the State and therefore petition under Article 226 of Constitution of India is not maintainable since opposite party No.5 does not come within purview of Article 12 of Constitution of India.

Considering such an objection being raised, learned counsel for petitioner upon instructions seeks to withdraw this petition with liberty to approach the appropriate forum.

In view of aforesaid, petition is dismissed as withdrawn with aforesaid liberty.

Order Date :- 21.11.2023

prabhat