

**Court No. - 20**

**Case :-** WRIT - A No. - 8706 of 2023

**Petitioner :-** Bhawanideen

**Respondent :-** State Of U.P. Thru. Prin. Secy. Rural Engineering Deptt.  
Govt. U.P. Lucknow And 3 Others

**Counsel for Petitioner :-** Km. Pratima Devi,Km. Manorama,Rajesh  
Kumar Tripathi

**Counsel for Respondent :-** C.S.C.

**Hon'ble Manish Mathur,J.**

Heard learned counsel for petitioner and learned State Counsel for opposite parties.

Petition has been filed seeking a direction to opposite parties to consider his claim for regularization with effect from 28th June, 2019 when persons engaged in service after him have been regularized. Consequential benefits as well as arrears of salary have also been sought.

It has been submitted that petitioner was initially engaged on a Class IV post in January, 1990 and is continuously performing his duties ever since without any complaint by the opposite parties but despite the fact that persons engaged in service subsequent to petitioner have already been regularized, claim of petitioner is still pending consideration.

It has been submitted that earlier petitioner's representation for regularization had been rejected and in pursuance of direction issued by this Court, the fresh representation was also rejected vide order dated 31st January, 2002 which was challenged in writ petition No. 17306 of 2002 which was disposed of vide judgment and order dated 31st July, 2013 holding that petitioner is entitled to relief. Since petitioner's services had in the meantime being dispensed with, direction may also issue to reinstate petitioner as a Watchman with 50% back wages and not to dispense with his services without first complying with provisions of Sections 6(N) and 6(P) of U.P. Industrial Disputes Act, 1947. It is submitted that in pursuance thereof, petitioner was reinstated and is continuously working ever since.

For the aforesaid grievance, the petitioner has already submitted a representation dated 11th May, 2023. At present learned counsel for the petitioner restricts her prayer for a final decision with regard to same.

Considering innocuous prayer being made by learned counsel

for petitioner and without entering into the merits of the case, opposite party No. 2 i.e. Director & Chief Engineer, Rural Engineering Department, U.P., Lucknow is directed to decide representation dated 11th May, 2023 within a period of eight weeks from the date a certified copy of this order is submitted before him.

With the aforesaid observations, the writ petition stands **disposed of.**

**Order Date :- 7.11.2023**

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