

Court No. - 20

Case :- WRIT - A No. - 8818 of 2023

Petitioner :- Jai Prakash

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

Counsel for Petitioner :- Shailendra Kumar Dubey

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur,J.

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

2. Petition has been filed challenging alleged order of oral termination dated 01.09.2023. Further prayer for reinstatement in service and consideration of petitioner's case for regularization has also been sought alongwith grant of minimum of pay-scale.

3. It has been submitted that petitioner was initially engaged in service on 01.05.1991 as a daily wage employee on the post of Watcher in the Wild Life Division whereafter he is continuously discharging services.

4. Learned counsel has adverted to the letter dated 27.01.2017 issued by Divisional Forest Officer, Katarniya Ghat, Wild Life Division, Bahraich recommending petitioner's case for regularization in terms of the relevant rules. It is submitted that despite such recommendation having been made almost five years ago, petitioner's services have not yet been regularized and on the contrary he is not being permitted to continue on his post.

5. Considering submissions advanced by learned counsel for petitioner, liberty is granted to petitioner to file representation before opposite party no.3 i.e. Chief Conservator of Forest/ Director, Dudhwa Tiger Reserve, Lakhimpur Kheri indicating his grievances. Such representation shall be considered and decided by the concerned authority by means of a reasoned and speaking order within a period of eight weeks from the date of receipt of representation alongwith a copy of this order. The said authority shall also take into account the recommendation dated 27.01.2017 ignoring any artificial breaks in service.

6. With the aforesaid observation, petition stands **disposed of**.

Order Date :- 9.11.2023

Subodh/-