

Court No. - 3

Case :- WRIT - A No. - 8895 of 2023

Petitioner :- State Of U.P. Thru. Addl. Chief Secy. Deptt. Of State Tax ,
Lko. And Another

Respondent :- Yogesh Kumar And 2 Others

Counsel for Petitioner :- C.S.C.

Counsel for Respondent :- Shailendra Kumar Singh, Manish Mishra

Hon'ble Vivek Chaudhary, J.

Hon'ble Om Prakash Shukla, J.

1. Heard Shri V.P. Nag, learned Additional Chief Standing Counsel for the State-petitioner, Shri Shailendra Kumar Singh, learned Counsel for respondent no.1 and Shri Varun Pratap Singh holding brief of Shri Manish Mishra, learned Counsel for respondent no.3.

2. Learned Counsel for the petitioner and learned Counsel for respondent no.1, in whose favour the Tribunal has passed the order, admit that in the operative portion of the impugned order dated 05.04.2023 it is held that the petitioner shall be entitled to counting his previous services rendered in UPSRTC w.e.f 26.05.1995 to 17.06.2003 and other service benefits arising out of counting of previous services, except seniority is wrongly noted and as per the Government Order dated 12.06.1998 (wrongly noted as 12.08.1998 in the impugned order) the respondent no.1 is only entitled for benefit of the protection of the pay scale.

3. The impugned order is modified to the aforesaid extent only.

4. The writ petition is *allowed* with the aforesaid modification only and the operative portion shall be read as modified above.

(Om Prakash Shukla, J.) (Vivek Chaudhary, J.)

Order Date :- 17.11.2023

Anand Sri./-