

Court No. - 17

Case :- WRIT - A No. - 8913 of 2023

Petitioner :- Chotelal Shastri

Respondent :- State Of U.P. Thru. Prin. Secy. Dairy Deptt.
Lucknow And 3 Others

Counsel for Petitioner :- Manushresth Misra,Ravindra Kumar
Singh

Counsel for Respondent :- C.S.C.,Shanker Lal

Hon'ble Alok Mathur,J.

1. Heard Sri Manushresth Misra, learned counsel for the petitioner, learned Standing counsel for respondent No.1 and Ms. Shruti Sahu for respondent No.s 2 to 4. The vakalatnama filed by her is taken on record.

2. It has been submitted by learned counsel for the petitioner that the petitioner was working on the post of Field Supervisor in U.P. Pradeshik Cooperative Dairy Federation Limited, Lucknow. It is further stated that disciplinary proceedings were initiated against the petitioner on the ground of unauthorized absence and failure to join duties. The inquiry proceedings culminated in passing of the impugned punishment order dated 6.4.2019 where the punishment awarded was leave without pay for the period 31.3.2017 till his joining on account of 'no work no pay'.

3. It is further submitted that an appeal has been preferred by the petitioner on 30.4.2019 to the Chairman, Pradeshik Cooperative Dairy Federation Limited, Lucknow i.e. respondent No.2 but the same has not been decided till date. It is in aforesaid circumstances that the petitioner has confined his prayer for a suitable direction to opposite party No.2 to consider and decide his appeal expeditiously.

4. Learned Standing counsel, on the other hand, on the basis of instructions has submitted that the respondent-Federation has not received any appeal preferred by the petitioner.

5. Be that as it may, without entering into merits of the case, it is noticed that according to the service rules governing the serves of the petitioner the order of punishment dated 6.4.2019 is appeal-able order and the appeal lies to the Chairman.

6. In case, the petitioner has filed the appeal and the same has

been received by the respondents they are directed to decide the same, expeditiously say within a period of six weeks from the date a certified copy of this order is placed before them in accordance with law. In case the said appeal has not been received to the respondents, liberty is granted to the petitioner to file a fresh copy of the appeal to the appellate authority to consider and decide the same expeditiously, say within a period of six weeks from the date of its presentation along with a certified copy of this order in accordance with law.

7. With aforesaid observations and directions the petition stands **disposed off.**

(Alok Mathur, J.)

Order Date :- 9.11.2023

RKM.