

Court No. - 20

Case :- WRIT - A No. - 8908 of 2023

Petitioner :- Home Guard 2319 Awadhesh Kumar Upadhaya

Respondent :- State Of U.P. Thru. Prin. Secy. Home Guards Deptt. Lko
And 3 Others

Counsel for Petitioner :- Pradeep Kumar Mishra, Pradeep Kumar

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur, J.

1. Heard learned counsel for petitioner and learned State Counsel for opposite parties.
2. Petition has been filed challenging order dated 27th June, 2000 cancelling petitioner's appointment on the post of Home Guard.
3. It has been submitted that a perusal of impugned order will make it evident that the same has been passed on ex-parte basis without any inquiry or affording any opportunity of hearing to petitioner.
4. Shri R.A. Maurya, learned State Counsel has refuted submission advanced by learned counsel for petitioner with submission that petitioner is challenging the order after a period of 23 years without any cogent explanation for such laches and, therefore, it is not required to be entertained at such belated stage.
5. Upon consideration of submissions advanced by learned counsel for parties and perusal of material on record, it is quite evident that petitioner is challenging the order dated 27th June, 2000 after a period of 23 years. Even if, petitioner's submission that he worked in service till March, 2001 is to be considered, even then there is considerable laches of about 22 years unexplained by petitioner in a cogent manner.
6. In view of such belated challenge to impugned order, this Court does not find any occasion interfere.
7. In view of aforesaid, the writ petition fails and is dismissed.

Order Date :- 9.11.2023

Ashutosh Pandey