

Court No. - 6

Case :- WRIT - C No. - 10131 of 2023

Petitioner :- Jitendra Kumar

Respondent :- State Of U.P. Thru. Prin. Secy. Food And Civil Supplies,
Lko. And 4 Others

Counsel for Petitioner :- Bare Lal Bhartiya

Counsel for Respondent :- C.S.C., Dilip Kumar Pandey

Hon'ble Rajnish Kumar,J.

Heard Sri Pintoo Kumar, Advocate holding brief of Sri B.L.Bhartiya, learned counsel for the petitioner, learned Standing Counsel and Sri Dilip Kumar Pandey, learned counsel for the respondent no.5.

Learned counsel for the petitioner submits that the grand father of the petitioner Late Sri Ram Prasad son of Ram Pal was the fair price shop licensee of Village Panchayat Bela Gusisi, Vikas Khand Rahi, Tehsil Sadar, District Raebareilly. He died on 09.09.2023. Therefore being eligible, the petitioner has moved an application on 27.09.2023 before the opposite party no.3/ Sub Divisional Officer, District Raebareilly for his appointment under Dying-in- Harness but till date no decision has been taken thereon, whereas the grand son is entitled for appointment under Dying in Harness in case no other person is eligible in view of the judgment of this Court in the case of Vimal Kumar versus State of U.P. and Others passed in Writ C No.18501 of 2021. Accordingly he makes an innocuous prayer for a direction to the authority concerned to consider and dispose of the application of the petitioner within some short stipulated period. To which there is no objection by other side.

In view of above, without entering into the merits of the case, the writ petition is **disposed of** with direction to the opposite party no.3 to consider and dispose of the application/ representation of the petitioner dated 27.09.2023 contained in Annexure No.2 to the petition expeditiously say within a period of six weeks from the date of production of certified copy of this order.

Order Date :- 17.11.2023

Akanksha