

Court No. - 9

Case :- WRIT - A No. - 9208 of 2023

Petitioner :- Mohd. Faisal

Respondent :- State Of U.P. Thru. Secy. Deptt. Upsrtc
Lucknow, U.P. And 5 Others

Counsel for Petitioner :- Gyanoday Shukla

Counsel for Respondent :- Ratnesh Chandra

Hon'ble Rajan Roy,J.

Heard.

Apparently, the impugned order dated 25.08.2023 has been passed by opposite party no.5 asking the petitioner to deposit an amount of Rs.57,232/- on account of loss of tickets which were in his possession in his capacity as conductor. The contention is that the bag containing tickets got lost and an F.I.R. was lodged by the petitioner on the same date i.e. on 27.05.2023 and this fact was brought to the notice of the higher officials on the same day. In spite of it, without any notice, the impugned order has been passed fastening the petitioner with financial liability, illegally.

On being confronted, Sri Ratnesh Chandra, learned counsel for the contesting opposite parties could not deny the fact that on a reading of the impugned order that no notice was given.

For the reasons aforesaid, the impugned order is quashed. Opposite party no.5 is at liberty to take a fresh decision but only after verifying the facts and giving an opportunity of hearing to the petitioner as per law.

Accordingly, the petition is **allowed** in the aforesaid terms.

(Rajan Roy,J.)

Order Date :- 4.12.2023

Shanu/-