

Court No. - 7

Case :- WRIT - A No. - 9888 of 2023

Petitioner :- Devendra Pratap Singh

Respondent :- Chairman U.P. State Of Transport Corporation
Head Mahatma Gandhi Marg Lko And 2 Others

Counsel for Petitioner :- Umesh Chandra Mishra

Counsel for Respondent :- Akhilesh Kumar Srivastava

Hon'ble Abdul Moin,J.

1. Heard learned counsel for the petitioner and Shri Akhilesh Kumar Srivastava, learned counsel for the respondents.

2. Under challenge is the order dated 28.06.2008 per which the revisionary authority on the revision filed by the petitioner against the order of dismissal, which stood affirmed with the dismissal of the appeal, has modified the order to the extent that the dismissal order has been set aside and the petitioner has been re-instated but with the penalty of withholding the payment of two increments permanently and that the period the petitioner remained out of service, he would not be entitled for any benefits.

3. The contention of learned counsel for the petitioner is that he has retired on attaining the age of superannuation on 31.05.2018 and is now choosing to challenge the order impugned.

4. No reason or explanation for the delay has been given in the petition apart from contending that the petitioner was submitting representations against the same.

5. The order impugned is an order which has been passed after disciplinary proceedings. The only option for the petitioner was to have challenged the said order before competent court of law which has not been done by him and consequently, there cannot be any occasion for this Court to interfere after a period of more than 15 years of the order impugned being passed.

6. Considering the aforesaid, no case for interference is made out. The writ petition is **dismissed** on ground of laches.

Order Date :- 21.12.2023

S. Shivhare