

Court No. - 20

Case :- WRIT - A No. - 9391 of 2023

Petitioner :- Niladri Chakrabarty

Respondent :- Union Of India Thru. Secy. Govt. Of India Ministry Home Affairs New Delhi And Others

Counsel for Petitioner :- Syed Ajaz Haider Rizvi

Counsel for Respondent :- A.S.G.I.

Hon'ble Manish Mathur,J.

1. Heard learned counsel for petitioner and Mr. S. B. Pandey, learned Senior Counsel assisted by Mr. Varun Pandey, learned counsel appearing on behalf of opposite parties.

2. Petition has been filed seeking the following relief:

"a. To issue a writ order or direction in the nature of mandamus thereby commanding the opposite parties to open sealed covered proceedings of the petitioner and promote the petitioner w.e.f. 20.07.2018, when all the other incumbents were promoted in pursuance to Departmental Promotion Committee in which the petitioner was also considered with all consequential benefits for all purposes and intents and arrears of salary alongwith interest thereon @18% pa w.e.f. the said date.

b.To issue a writ order or direction which this Hon'ble Court may deem just and proper in the nature and circumstances of the case in favour of the petitioner.

c. To allow the writ petition of the petitioner with costs."

3. For the aforesaid grievance, petitioner has already submitted a representation but seeks liberty to file a fresh representation before the competent authority. At present learned counsel for petitioner restricts his prayer for a final decision with regard to same.

4. Considering innocuous prayer being made by learned counsel for petitioner and without entering into the merits of the case petitioner is granted liberty to file a fresh representation before opposite party No.3 i.e. Commandant, Government of India, Ministry of Home Affairs, 09th Battalion, SSB, District Balrampur, U.P. or any competent authority. In case such a representation is filed, the same shall be considered and decided by a reasoned and speaking order within a period of eight weeks from the date a certified copy of this order is produced before the said authority.

5. With the aforesaid observation, petition stands **disposed of**.

Order Date :- 11.12.2023

Subodh/-