

Court No. - 20

Case :- WRIT - A No. - 9450 of 2023

Petitioner :- Rakesh Kumar Pandey

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Rural Engineering Deppt. Govt. Civil Sectt. Lko And Another

Counsel for Petitioner :- Birendra Kumar Yadav, Amit Kumar, Manoj Kumar Yadav

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur, J.

1. Heard learned counsel for petitioner and learned State Counsel appearing on behalf of opposite parties.

2. Petition has been filed seeking the following reliefs:

"(1) To issue a writ, order or direction in the nature of mandamus commanding and directing the opposite parties to open the seal cover envelop and consider for grant of Ad hoc promotion to the petitioner on the post of Assistant Engineer (Mechanical) in pay scale of Rs. 15600-39100 with grade pay of Rs.5400 in term of clause 10 of Government Order bearing no.13/21/89-ka-1-1997 dated 28.05.1997, and government order bearing no.1/2018-13(6)/2017/ka-1-2018, dated 09.01.2018, with all consequential service benefits, in the interest of justice.

(2) To issue any order or direction as the Hon'ble Court deems just and proper in circumstances of the case.

(3) To award the cost of the petition to the petitioner."

3. It has been submitted that earlier a Departmental Promotion Committee was held on 20.07.2022 but petitioner's case was kept under sealed cover due to pending criminal proceedings but since now petitioner is covered under paragraph 10 of the Government Order dated 28.05.1997 his case may be considered.

4. For the said grievance, petitioner has already submitted a representation dated 17.10.2023. At present learned counsel for petitioner restricts his prayer for a final decision with regard to same.

5. Considering innocuous prayer being made by learned counsel for petitioner and without entering into the merits of the case, opposite party No.1 i.e. Additional Chief Secretary, Rural Engineering Department, U.P. Government, Civil Secretariat, Lucknow is directed to consider and decide representation dated 17.10.2023 in the light of Government Order dated 28.05.1997 within a period of six weeks from the date a certified copy of

this order is produced before said authority.

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

Order Date :- 13.12.2023

Subodh/-