**Court No. - 20**
**Case :-** WRIT - A No. - 9706 of 2023
**Petitioner :-** Smt. Raj Kumari
**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Bal Vikas Evam Pushtahar Deptt. Lko And 2 Others
**Counsel for Petitioner :-** Kapil Dev Chaubey,Hukum Singh,Vijai Kumar Shukla
**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. Under challenge is order dated 25.10.2023 whereby petitioner's representation for promotion on the post of Mukhya Sevika has been rejected only on the ground that it has to be decided by appointing authority i.e. Director, Bal Vikas Sudhar Evam Pushtahar, U. P. Lucknow instead of District Programme Officer who has passed the impugned order.

3. A perusal of impugned order makes it evident that petitioner's representation has been rejected only on the aforesaid ground. If the authority passing impugned order was of the opinion that petitioner's grievance regarding promotion was to be decided by the appointing authority, he should have referred the matter to the appointing authority instead of rejecting the representation itself.

4. For the aforesaid grievance, petitioner has already submitted a representation but seeks liberty to file fresh representation before competent authority. 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 petitioner is granted liberty to file a fresh representation before opposite party No.2 i.e. Director, Bal Vikas Sudhar Evam Pushtahar, U. P. Lucknow. 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.

6. With the aforesaid observation, petition stands **disposed of** without quashing the impugned order since it has not been passed on merit.

**Order Date :-** 19.12.2023
Subodh/-

Digitally signed by :-
SUBODH KUMAR SINGH
High Court of Judicature at Allahabad,
Lucknow Bench