

Court No. - 19

Case :- WRIT - A No. - 9769 of 2023

Petitioner :- Aditya Kumar Pathak

Respondent :- Provincial Cooperative Federation U.P. Lko. Thru.
Chairman And Another

Counsel for Petitioner :- Awaneesh Yadav

Counsel for Respondent :- Shireesh Kumar

Hon'ble Jaspreet Singh,J.

Heard learned counsel for the petitioner. Shri Birendra Prasad Singh, learned counsel has put in appearance on behalf respondents No.1 and 2 and has filed his Vakalatnama, which is taken on record.

The petitioner has approached this Court with the prayer seeking a directing in the nature of mandamus commanding the respondents to grant the benefit of Assured Career Progression (ACP) to the petitioner as admissible after the implementation of recommendations of 6th Pay Commission as well as interest on delayed payment.

It is further urged that the petitioner has already raised the issue before the Department concerned by means of his representations which have been brought on record as Annexure No.5 followed by various reminders but no action was taken.

Considering the fact that the petitioner has already escalated the matter before the Department concerned, accordingly, this Court is of the opinion that no gainful purpose will be served in keeping the aforesaid petition pending rather ends of justice can be served by directing the respondent No.2 to consider and decide the pending representation of the petitioner most expeditiously by passing a reasoned and speaking order preferably within a period of six months from the date a certified copy of this order is placed before the authority concerned. In case if there is any legal impediment, the same shall be conveyed to the petitioner otherwise the dues as admissible to the petitioner shall be paid within the aforesaid period.

It is made clear that the Court has not examined the case of the petitioner on merits and the authority concerned shall take a decision on the pending representation of the petitioner strictly in accordance with law.

With the aforesaid, the petition is **disposed of**.

Order Date :- 19.12.2023

Rakesh/-