

Court No. - 1

Case :- WRIT - A No. - 9758 of 2023

Petitioner :- Yogendra Kumar Tyagi

Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Of Home
(Police Services) U.P. Govt. Lko. And Others

Counsel for Petitioner :- Rishi Raj, Vinay Kumar Singh

Counsel for Respondent :- C.S.C.

Hon'ble Attau Rahman Masoodi, J.

Hon'ble Om Prakash Shukla, J.

Heard learned counsel for the petitioner and learned State Counsel appearing for the State-respondents.

By means of instant writ petition, the petitioner has assailed the order dated 31.10.2023 passed by the U.P. Public Services Tribunal whereby the Claim Petition No. 2228 of 2023 preferred by the petitioner against show cause notice dated 13.10.2023 issued to him to file his reply has been dismissed on the ground of non-maintainability.

Admittedly, the petitioner has not submitted his reply to the show cause notice dated 13.10.2023 as on date; instead, he chose to file a claim petition before the Tribunal challenging the show cause notice and when the same was dismissed by the Tribunal, the petitioner has approached this Court to challenge the order passed by the Tribunal as also the show cause notice.

Since the Tribunal has not passed the order impugned herein on merits of the Claim Petition, it does not call for any interference.

Considering the above, it is provided that if the petitioner files his reply to the show cause notice dated 13.10.2023 within a period of two weeks from today, the same shall be considered

and decided expeditiously, preferably within a period of one month from the date of receipt of reply alongwith all necessary documents.

In view of what has been provided above, the writ petition is **disposed of**. The show cause notice dated 13.10.2023 issued to the petitioner for recovery of Rs.9,90,822/- shall abide by the outcome of the explanation given by the petitioner which is left open to be filed by him in terms of this order.

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[Om Prakash Shukla, J.] [Attau Rahman Masoodi, J.]

Order Date :- 19.12.2023

Sanjay