

Court No. - 20

Case :- WRIT - A No. - 10063 of 2023

Petitioner :- Bhagat Singh

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Labour Deptt. Lko And Another

Counsel for Petitioner :- Yadukul Shiromani Srivastava (Y.S.Lohit)

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur,J.

Heard learned counsel for the petitioner and learned Standing Counsel for the opposite parties.

Present petition has been filed challenging the order dated 09.11.2023 imposing major and minor penalty upon the petitioner.

Shri Rahul Kapoor, learned Standing Counsel has raised a preliminary objection regarding maintainability of this petition on the ground of availability of alternative and efficacious remedy of appeal.

Upon such objection being raised, learned counsel for the petitioner seeks liberty to file an appeal before the concerned authority with the stipulation that the same may be decided within certain time period.

Considering the aforesaid, liberty is granted to the petitioner to file an appeal before the concerned authority and it is directed that in case such an appeal is filed, concerned authority shall consider and decide the same by a reasoned and speaking order after affording opportunity of hearing to the petitioner within a period of three months from the date such an appeal is preferred. Petitioner shall also have liberty to file an application of interim relief along with appeal which may also be considered.

With the aforesaid the petition is disposed of.

Order Date :- 22.12.2023

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