

Court No. - 5

Case :- WRIT - A No. - 11966 of 2024

Petitioner :- Hitesh Singh

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Deptt. Forest, Lucknow And 3 Others

Counsel for Petitioner :- Satish Singh

Counsel for Respondent :- C.S.C., Rishabh Tripathi

Hon'ble Abdul Moin, J.

1. Heard learned counsel for the petitioner, learned Standing Counsel for the State-respondent No.1 and Shri Rishabh Tripathi, learned counsel appearing for respondent No.2 to 4.
2. With the consent of the parties the matter is being decided finally.
3. Under challenge is the order dated 24.10.2024, a copy of which is Annexure-1 to the petition, passed by the respondent No.4 whereby the claim of the petitioner for promotion to the post of Assistant Grade-II has been rejected.
4. Reasons as emerge from perusal of the said order is that after issuance of the Uttar Pradesh Government Department Ministerial Cadre Service Rules, 2014 (hereinafter referred to as the 'Rules, 2014'), which have been adopted by the respondents with effect from 11.07.2024, there is no provision for notional promotion to be made to the said post.
5. The argument of the learned counsel for the petitioner is that as the petitioner became due for being granted promotion to the post of Assistant Grade-II on completion of 10 years of service, which have been completed on 30.08.2024 and in terms of the Rules, 2014, the person becomes entitled for being promoted after rendering 10 years of services consequently this aspect of the matter has not been considered by the respondents while rejecting the claim of the petitioner.
6. No other points have been argued by the learned counsel for the petitioner.
7. Shri Rishabh Tripathi, learned counsel appearing for respondents No.2 to 4 does not dispute the aforesaid.
8. Considering the aforesaid, impugned order dated 24.10.2024, a copy of which is Annexure-1 to the petition, is quashed. The writ petition is

allowed.

9. Respondent No.4 is directed to pass a fresh order in accordance with law under relevant rules within a period of four weeks from the date of receipt of a certified copy of this order.

Order Date :- 18.12.2024

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