

ITEM NO.37

COURT NO.7

SECTION XI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 7300/2017

(Arising out of impugned final judgment and order dated 25/10/2016 in SADN No. 643/2016 passed by the High Court Of Judicature at Allahabad)

IFTEKHAR AHMAD

Petitioner(s)

VERSUS

STATE OF U.P. AND ORS

Respondent(s)

(with appln. (s) for exemption from filing O.T. and office report)

Date : 20/03/2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s) Mr. Yatindra Singh, Sr. Adv.
Mr. D. V. Singh, Adv.
Mr. Arijeet Singh, Adv.
Mr. A. S. Pundir, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

The petitioner filed Civil Misc. Writ Petition No. 42289 of 2016 before the High Court of judicature at Allahabad with the following prayer :-

"Issue a writ, order or direction in the nature of mandamus commanding the respondents specially respondent no. 2 to promote the petitioner on the post of Marketing Inspector with effect from 12.09.2012, the date on which his juniors were given promotion on the said post of Marketing Inspector with consequential

benefits."

The High Court dismissed the writ petition on account of delay and laches. It is submitted that there is a recommendation made by the District Food Controller, Basti, dated 27.09.2016, addressed to the Commissioner, Food and Civil Supply, Lucknow, U.P., recommending for promotion of the petitioner.

The Special Leave Petition is, hence, disposed of with a direction to the Commissioner/competent authority to look into the recommendation made by the District Food Controller, Basti dated 27.09.2016 and take appropriate action thereon in accordance with law within a period of three months from the date of production of a copy of this order, along with a copy of this Special Leave Petition, before the Commissioner.

We make it clear that the Judgment in the writ petition or in the writ appeal shall not stand in the way of the Commissioner/competent authority taking appropriate action, as above.

Pending interlocutory applications, if any, stand disposed of.

(Jayant Kumar Arora)
Court Master

(Renu Diwan)
Assistant Registrar