

This the 18th day of February, 2010

Hon'ble Mr. Justice A.K. Yog, Member (J)

Hon'ble Dr. A.K. Mishra, Member (A)

Atul Kumar Agrawal, aged about 42 years son of Sri Laxman Das Agrawal, presently posted as Dy. Conservator of Forest Office of the P.C.C.F., U.P. Resident of 569/135 C, Krishna Nagar, Lucknow.

Applicant

By Advocate: Sri H.P. Gupta

Versus

1. Union of India through Secretary, Ministry of Forest and Environment, New Delhi.
2. State of U.P., through Principal Secretary, Forest, U.P. Govt., Lucknow.
3. Secretary, Union Public Service Commission, Lucknow
4. Principal Chief Conservator of Forest, U.P. Lucknow.

Respondents

By Advocate: Sri Sudeep Seth for respondents No. 2 and 4
Sri Pankaj Awasthi for respondent No. 3

ORDER (ORAL)

Hon'ble Mr. Justice A.K. Yog, Member (J)

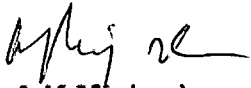
Heard counsel for applicant Sri H.P. Gupta as well as Sri Sudeep Seth (representing respondents No.2 and 4) and Sri Pankaj Awasthi representing for respondent No. 3.

2. Learned counsel for respondent No.2 and 4 inform^d that disciplinary inquiry has been concluded. Learned counsel for applicant submits that, at present, he is aggrieved because his case for promotion has not been considered. For that purpose, he has approached the competent authority several times by filing written representations.


3. Be that as it may, in view of the above, we find that relief claimed in the O.A. has been rendered redundant in view of statement made by Sri Sudeep Seth. As far as grievance of the applicant for not considering his representation for promotion, we are of the view that the applicant may have the decision on the issue from concerned authority.



4. For this purpose, he may file a certified copy of this order along with comprehensive parawise fresh representation within 6 weeks from today before respondent No.2, i.e. Principal Secretary, Forest, U.P. Govt., Lucknow and the said authority, shall (provided said representation along with certified copy of this order is submitted as stipulated/ contemplated above) decide the same within 3 weeks from the date of receipt of representation (as indicated above) by passing a reasoned/ speaking order in accordance with law. Decision taken shall be communicated to the applicant forthwith. Original Application stands disposed of. No order as to costs.



(Dr. A.K. Mishra)
Member (A)



(A.K. Yog)
Member (J)

HLS/-