

**IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL**

Writ Petition No. 1461 (S/B) of 2002

Naiksa

... Petitioner

Versus

Secretary Ministry of Rural Development
Uttaranchal, Dehradun & others.

... Respondents

Hon'ble M.M. Ghildiyal, J.
Hon'ble Rajesh Tandon, J.

Heard Sri S.S. Yadav learned counsel for the petitioner and learned Chief Standing Counsel.

On 07.10.2002, the Division Bench of Uttaranchal High Court has passed the order to the following effect:-

“Heard Sri C.D. Bahuguna, learned counsel for the petitioner and learned C.S.C.

The petitioner has limited his grievance to the consideration of the representation. The respondent authorities are directed to consider the representation of the petitioner within ten days. For a period of ten days, the status quo shall be maintained.

With the above direction, the petition is disposed of finally.”

As well, appear from the aforesaid order that the representation was to be decided within ten days and thereafter status quo was to be maintained for a period for ten days. It appears that on 17.10.2002 an order has been passed by the respondents taking into consideration the order dated 07.10.2002 passed by Division Bench by this Court out the representation of the petitioner has not been decided by them.

The grievance of the petitioner is that his representation has not been decided in accordance with the order dated 07.10.2002.

We have perused the order dated 17.10.2002 passed by the respondents, it appears that the authority concerned has passed the order without disposing of the representation of the petitioner.

In view of the above facts and circumstances, the petitioner shall file afresh representation before the authority concerned within three weeks from

today. Thereafter, the representation shall be decided on merit in accordance with Rules within two weeks. In the meantime, the order dated 17.10.2002 shall remain in abeyance till the representation is decided.

Subject to the aforesaid directions, the writ petition is disposed of.

(Rajesh Tandon, J.)

(M.M. Ghildiyal, J.)

30.04.2004

ASWAL