

HIGH COURT OF UTTARANCHAL AT
NAINITAL.

Writ Petition No. 487 (S/S) of 2005

Manoj Kumar Mishra,
son of late Sri Shayam Babu,
resident of Mandhi Nath
323 (Pandito Wali Gali),
Bareilly, U.P.

.....Petitioner.

V e r s u s.

1. State of Uttaranchal through Principal Secretary, Home Affairs, Dehradun.
2. Director General of Police (Karmik), Police Headquarter, Dehradun.
3. Inspector General of Police, Kumaon, Nainital.
4. Senior Superintendent of Police (SSP), Nainital.

....Respondents

Hon'ble M.M. Ghildiyal, J.:

Heard Sri Udyog Shukla, learned counsel for the petitioner and learned standing counsel, who has accepted notices on behalf of respondents.

Learned counsel for both parties are agreed to decide the writ petition at its admission stage itself.

By means of this writ petition, petitioner has prayed to issue a writ in the nature of Mandamus directing the respondent no. 3 to decide the Appeal (Annexure No. 7) pending before him.

The submission of the petitioner is that respondent no. 4 – SSP, Nainital terminated the services of the petitioner vide order dated 21.06.2001 without giving any opportunity to him. Against the termination order petitioner has filed appeal dated 13.02.2004 before respondent no. 3 i.e. Inspector General, Kumaon Range, Nainital.

Learned counsel for the petitioner has submitted that appeal of the petitioner is still pending before respondent no. 3 – Inspector General, Kumaon Range, Nainital and as such, respondent no. 3 be directed to decide the appeal at the earliest.

The prayer is innocuous. As such in the interest of justice I direct the respondent no. 3 – Inspector General, Kumaon Range, Nainital, to decide the Appeal of the petitioner, which is Annexure no. 7 to the writ petition, within a period of six weeks from the date of production of certified copy of this order.

With this direction, the writ petition is finally disposed of.

(M.M. Ghildiyal, J.)

April 29, 2005

SKSharma