

No.27/07/2011-SRS
Government of India
Ministry of Personnel, P.G. and Pensions
Department of Personnel & Training

3rd floor, Lok Nayak Bhavan,
New Delhi, June 2011

To

1. The Chief Secretary,
Government of Uttar Pradesh,
Lucknow.
2. The Chief Secretary,
Government of Uttarakhand,
Dehradun.

Subject: Consideration of representations of Shri Mahesh Kr. Mishra, in compliance of the directions dated 20/11/2009 of Hon'ble High Court of Allahabad, Lucknow Bench, Writ Petition No.7668/2009 – regarding

Sir,

I am directed to refer to the subject noted above and to say that Hon'ble High Court of Allahabad, Lucknow Bench vide judgment dated 18.12.2009 in Writ Petition No. 8389/2009 directed that ***“Keeping in view the circular dated 12.11.2007, the writ petition is finally disposed of directing the committee concerned to decide the petitioner’s representation in accordance with law by passing a speaking and reasoned order expeditiously and preferably within a period of six weeks from the date of receipt of a certified copy of this order and communicate the decision to the petitioner within next two weeks. During this period the petitioners shall be allowed to discharge his duties in the State of U.P. on the post on which he has been promoted and will be paid his salary.*”**

The petitioner is also given liberty to make afresh representations, if he so desires; alongwith certified copy of this order to the State Advisory Committee within a period of one week from today.

Subject to the aforesaid observations and directions, the writ petition is disposed of finally.”

2. Shri Mahesh Kr. Mishra in his representation dated 25.11.2009, has raised the following grounds:

- (i) Promoted to the post of Sub-Inspector (Spl. Category),
- (ii) Food pipe operated and replaced unable to eat solid food,

3. The representation of Shri Mahesh Kr. Mishra, received in compliance of the directions dated 20.11.2009 of Hon'ble High Court of Allahabad, Lucknow Bench in Writ Petition No. 7668/2009 on the above grounds, was considered by the State Advisory Committee in its meeting held on 14.02.2011. The Committee was informed that the promotion given to him is honorary and not substantive. The other grounds mentioned by him are also not covered under the Guidelines on

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Reorganisation, the Committee, therefore, recommended for rejection of his representations for revision of allocation to Uttar Pradesh.

4. The Government of India has considered the representation as well as the recommendations of the Committee and decided to accept the recommendation. Accordingly, Shri Mahesh Kr. Mishra continues to be allocated to the successor State of Uttarakhand. The officer/official concerned may kindly be apprised about the decision.

Yours faithfully,

S. Nayak
(S.Nayak)

y Under Secretary to the Government of India

Copy to:

1. Sh. R.M. Srivastava, Principal Secretary, U.P. Reorganisation Coordination Department, Vikas Bhawan, Janpath Market, Lucknow.
2. The Principal, Secretary, Reorganisation, Govt. of Uttarakhand, Dehradun.
3. The Principal Secretary, Home Department, Government of Uttar Pradesh, Lucknow.
4. The Principal Secretary, Home Department, Government of Uttarakhand, Dehradun.

7/7/2011

