

Ram Prakash Agnihotri

Vs

District Judge U.P. and Others

Writ Petition No. 952 of 1989

(A. M. Ahmadi, M. M.Punchhi, K. Jayachandra Reddy JJ)

08.08.1990

ORDER

1. Rule nisi.

2. The petitioner was appointed as a Stenographer Grade II in 1962 and by 1978 he was confirmed as Stenographer Grade I. A departmental enquiry was held against him for remaining absent without leave and in that departmental enquiry he has found guilty and was reduced to the rank of Clerk/Typist. His grievance is that he could have been reduced to the next lower rank in the hierarchy and not be the post of Clerk/Typist which is outside the hierarchy. We had issued notice on the limited question as to why he should not be reverted to the post of Stenographer Grade II instead of being reverted to the post of Clerk/Typist. We have heard counsel for both the sides on this limited question and we think that the grievance of the petitioner in this behalf is fully justified. We, therefore, substitute the order of his reversion to the post of Clerk/Typist to that of Stenographer Grade II with effect from the date on which he was so reverted. He will be entitled to all consequential benefits flowing from his order. The rule is made accordingly with no order as to costs.

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