>ITEM NO.66 COURT NO.4 SECTION XI

SUPR EME COUR T OF I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).24616/2008
(From the judgement and order dated 15/07/2008 in WP No. 465/1997 of
The HIGH COURT OF ALLAHABAD, LUCKNOW BENCH AT LUCKNOW)

BRIJ BALA TIWARI Petitioner(s)
VERSUS
STATE OF U.P.& ORS. Respondent(s)

(With prayer for interim relief and office report)

Date: 17/08/2009 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE TARUN CHATTERJEE
HON'BLE MR. JUSTICE R.M. LODHA

For Petitioner(s) Mr. Nikhil Nayyar,Adv.

For Respondent(s) Mr. S.R. Singh, Sr. Adv.
Mr. Manoj Diwedi, Adv.
Mr. Gunnam Venkateswara Rao, Adv.

Mr. Pradeep Misra,Adv.

UPON hearing counsel the Court made the following
ORDER

We are not inclined to interfere with the order passed by the High Court in exercise of its discretion and following the judgment of this Court in L. Chandra Kumar vs. Union of India, reported in (1997) 3 SCC 261. However, considering the facts and circumstances of the present case and directions of the High Court in the writ petition, if approach is made by the petitioner by filing claim petition before the U.P. Public Services Tribunal, we direct that the same may be disposed of expeditiously, preferably within three months from the date of said approach.

The special leave petition is disposed of accordingly.

(A.D. Sharma) (Phoolan Wati Arora)
Court Master Court Master