

Court No. - 10

Case :- WRIT - C No. - 18539 of 2023

Petitioner :- Santosh Kumar

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Ajay Kumar Vashistha

Counsel for Respondent :- C.S.C., Sanjay Kumar Srivastava

Hon'ble Kshitij Shailendra, J.

1. Heard Shri Ajay Kumar Vashistha, learned counsel for the petitioner, learned Standing Counsel for the respondent nos.1 and 2. Shri Sanjay Kumar Srivastava, learned counsel has accepted notice on behalf of respondent no.3.

2. Placing reliance upon the policy contained in the letter dated 10.03.2020 issued by the Director of Education (Basic) U.P. Lucknow which facilitates making payment of sum of Rs. 5000/- to the students falling under the category defined, for the purposes of purchasing uniform and books, the petitioner has submitted an application before the Mahanideshak School Shiksha Avam Rajya Pariyojana Nideshak, Uttar Pradesh and it is contended that no action has been taken by the District Basic Education Officer, Etah on the said application though a copy of the same has been sent to him also.

3. A perusal of the aforesaid policy dated 10.03.2020 shows that it is the District Basic Education Officer who has to disburse the amount after verification of certain aspects and, therefore, the application, if any, should have been directly addressed to the District Basic Education Officer, Etah, however, no such application has been annexed alongwith writ petition and merely forwarding a copy of the application addressed to somebody else

would not serve the purpose.

4. The writ petition is **disposed off** in the following terms:-

(a). The petitioner is permitted to file a fresh application annexing therewith a policy dated 10.03.2020 before the District Basic Education Officer, Etah (respondent no.3) within a period of **two weeks from today** alongwith self-attested downloaded copy of this order.

(b). The application shall be supported by other relevant materials, by which, entitlement of the petitioner could be established as per the policy itself for disbursement as prayed for.

(c). The District Basic Education Officer, Etah shall consider the application of the petitioner and shall pass appropriate orders **by the end of December 2023** and shall communicate its decision to the petitioner on the address given in the application.

Order Date :- 17.11.2023

Jyotsana