

Court No. - 10

Case :- WRIT - C No. - 28202 of 2023

Petitioner :- Ashok Jindal

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Prashant Krishan, Abhishek Sharma, Prashant Krishan, Rajiv Sharma

Counsel for Respondent :- C.S.C.

Hon'ble Kshitij Shailendra, J.

In Re:- Impleadment Application No.2 of 2023

1. This application has been filed seeking impleadment of one Rakesh Kumar Singhal as co-petitioner in view of the order dated 19.10.2023 passed by this Court.
2. The impleadment application is **allowed**.
3. Let necessary impleadment be carried out by learned counsel for the petitioner during the course of day.

Order on Writ Petition

1. It is contended by the learned counsel for the petitioner that challenging an order dated 15.12.2022 passed by the District Inspector of Schools, Saharanpur granting recognition to the elections of the respondent no.4 (Committee of Management of Kishori Lal Gandhi Smarak Inter College, Nakur, Saharanpur through its Manager), co-petitioner has filed representation dated 16.01.2023 but no decision has been taken.
2. Learned Standing Counsel submits that the Joint Director of Education alone is not competent to take a decision on the said representation and such matters can be examined only by the Regional Level Committee.
3. Learned counsel for the petitioner submits that the representation is addressed to the Joint Director of Education as President/ Chairman of the said Regional Level Committee and, therefore, the direction may be issued.
4. Considering the facts and circumstances of the case and the fact that the Joint Director of Education is only one of the three members of the Regional Level Committee, the writ petition is

disposed of directing the Joint Director of Education, Saharanpur Division, Saharanpur to place the petitioner's representation dated 16.01.2023 before the Regional Level Committee who shall issue notice to the respondent no.4 (Committee of Management of Kishori Lal Gandhi Smarak Inter College, Nakur, Saharanpur through its Manager) on the said representation to the said respondent attaching copy of representation along with notice and, thereafter, after providing full opportunity of hearing to the petitioner and the respondent no.4, the Regional Level Committee shall decide the dispute strictly in accordance with law **by the end of March, 2024**, provided a certified copy of this order is produced before the Joint Director of Education along with a fresh copy of the representation dated 16.01.2023 **within two weeks from today**.

5. It is made clear that this Court has not examined the merits of the petitioner's claim and contentions regarding elections and the Regional Level Committee shall deal with the matter on the basis of records placed by both sides and strictly in accordance with law.

Order Date :- 17.11.2023

AKShukla/-