

Court No. - 35

Case :- WRIT - A No. - 14117 of 2023

Petitioner :- Committee Of Management Bhagwatmandal
Madhyamik Sanskrit Vidyalaya And Another

Respondent :- State of U.P. and Another

Counsel for Petitioner :- Shubham Prakash Gupta, Suryansh
Mishra

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar, J.

1. The case of the writ petitioner is that it is a Committee of Management, Bhagwatmandal Madhyamik Sanskrit Vidyalaya and the petitioner No. 2 is the Manager of the institution in question and the signature as dated in para 6 has been attested on 01.09.2021.

2. In para 7 of the writ petition, it is asserted that previously some society dispute has arisen in the year 1998 and the matter was engaging attention before the Deputy Registrar, Firms, Societies and Chits by virtue of the order dated 19.06.1998 has held that Sri Jagat Pal and the Manager of the institution against which a writ petition was preferred by Sri Ram Suresh Sharma, Writ C No. 21881 of 1998 the writ petition got dismissed on 19.11.2020 and the writ petitioner no. 2 had preferred representation on 05.08.2023 before the second respondent, District Inspector of Schools, Fatehpur that there exists no Managerial dispute, however, now by virtue of the communications dated 07.08.2023 of the District Inspector of Schools, Fatehpur, second respondent and on 03.08.2023 it has been mentioned that selections cannot be conducted in pursuance of the Government Order dated 24.07.2021 once there is a Managerial dispute.

3. Prayer in the present petition is for quashing of the order dated 07.08.2023 and 03.08.2023.

4. Sri Saurabh, learned Standing Counsel submits that instead of filing the present writ petition for quashing the said order it was open for the writ petitioner to have approached the second respondent, District Inspector of Schools, Fatehpur who would have addressed the grievances of the writ petitioner, if any, or transmitted the papers to an authority which was empowered to decide the claim of the writ petitioner.

5. Considering the submission of the learned Standing Counsel, the writ petition is disposed of granting liberty to the writ petitioner to get his grievances redressed if he so chooses and affected parties while filing a comprehensive representation/letter and this Court has no reason to disbelieve that on such motion being put to service, the same shall be given a logical end within a reasonable period in accordance with law after hearing the parties.

Order Date :- 3.11.2023

Rajesh