

Court No. - 35

Case :- WRIT - A No. - 14755 of 2023

Petitioner :- Shweta

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

Counsel for Petitioner :- Rahul Chaudhary, Abhishek Kumar Singh

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar, J.

1. The case of the writ petitioner as worded in the present petition is that an advertisement was published being Advertisement No. 1 of 2021 dated 31.03.2023 by the second respondent, U.P. Secondary Education Services Selection Board, Prayagraj inviting the applications for making recruitment on the post of Lecturers. The writ petitioner claims to have applied under Scheduled Caste Category online on 07.04.2021 she was subjected to written examination and she claims to be declared successful on 26.10.2021, however, she was called for counselling on 21.07.2023, she appeared but counselling was not done.

2. Prayer in the present petitioner is for a direction to the respondents to consider the claim of the writ petitioner for appointment.

3. Sri Gaya Prasad Singh, learned Standing Counsel, on the other hand, submits that the issue which the writ petitioner is seeking to raise needs determination at the first instance by the third respondent, Assistant Education Director (Madhyamik-2) Shiksha Nideshayal, U.P., Prayagraj. According to him the writ petitioner may represent his cause before the third respondent, Assistant Education Director (Madhyamik-2) Shiksha Nideshayal, U.P., Prayagraj who shall address the claim of the writ petitioner and he does not propose to file any response to the writ petition.

4. To such a submission learned counsel for the writ petitioner has no objection and he gracefully accepts the same.

5. Considering the submission of the rival parties as well as the

stand taken by them, the writ petition is being disposed of without seeking any response from the respondents granting liberty to the writ petitioner to approach the third respondent, Assistant Education Director (Madhyamik-2) Shiksha Nideshayal, U.P., Prayagraj by means of a comprehensive representation along with the self attested copy of the writ petition and the third respondent on the receipt of the same shall decide the claim of the writ petitioner strictly in accordance with law within a period of two months from the date of production of certified copy of the order, in case, the third respondent is of the opinion that the matter needs to be decided by any other authority then the papers be transmitted to it.

6. Needless to point out that passing of this order may not be construed to be an expression that this Court has adjudicated the matter on merits.

Order Date :- 6.11.2023

Rajesh