

Court No. - 35

Case :- WRIT - A No. - 15074 of 2023

Petitioner :- Dinesh Kumar Rana

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

Counsel for Petitioner :- Durgesh Kumar Tripathi, Sr. Advocate

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar, J.

On the oral request of the learned counsel for the writ petitioner, he is permitted to implead the Committee of Management, Sarvodaya Mandir Inter College, Mahavatpur, District - Baghpat, as the fourth respondent.

Heard Sri Durgesh Kumar Tripathi, learned counsel for the writ petitioner as well as Sri Saurabh, learned Standing Counsel, who appears for the respondent nos.1 to 3.

In view of the order, which is being proposed to be passed, notices are not being issued to the fourth respondent.

The case of the writ petitioner is that Sarvodaya Mandir Inter College, Mahavatpur, District - Baghpat is an institution imparting Education up-to Intermediate level but institution is grant-in-aid list upto Junior High School level.

The case of the writ petitioner is that he was appointed as an *ad hoc* Assistant Teacher on 23.04.1996 and his appointment was approved on 29.05.1995 and consequent to the retirement of Sri Babu Ram on 31.03.2023, he was allowed to officiate by the institution in question on 01.04.2023. However, when the papers were transmitted to the third respondent, District Inspector of Schools, Baghpat for granting approval and attestation, the inputs

were required from the Committee of Management and dates were fixed.

Prayer in the present petition is for a direction to taken appropriate decision.

Sri Saurabh, learned Standing Counsel on the other hand submits that from the pleadings so set-forth in the writ petition, there happens to be other contenders, namely, Rakesh Kumar and Smt. Indu Rani and others, who according to the writ petitioner had shown their inability to officiate. Thus, according to him, in case, the District Inspector of Schools, Baghpat is directed to consider the case of the writ petitioner, then the affected parties be heard including the Committee of Management, fourth respondent. He further submits that he does not propose to file any response to the writ petition.

To such a submission, learned counsel for the writ petitioner has no objection.

Considering the submission of the rival parties as well as the stand taken by them, the writ petition is being disposed off granting liberty to the writ petitioner to prefer a comprehensive representation before the third respondent, District Inspector of Schools, Baghpat, who shall on the receipt of the same put to notice the fourth respondent and other affected parties and thereafter proceed to decide the entitlement of the writ petitioner for attestation of his signatures as an Officiating Principal within a period of two months from the date of the production of the certified copy of the order.

Needless to point out that the Court has not adjudicated upon the merits of the case.

With the aforesaid observations, the writ petition stands ***disposed off***.

Order Date :- 12.10.2023

S Rawat