

Court No. - 35

Case :- WRIT - A No. - 15262 of 2023

Petitioner :- C/M, Swami Ramanand Balika Inter College, Farrukhabad
Through Its Manager Shri Vineet Agnihotri

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Yogesh Kumar Saxena

Counsel for Respondent :- C.S.C.,Hritudhwaj Pratap Sahi,Kushmondeya
Shahi,Samarath Singh

Hon'ble Vikas Budhwar,J.

Heard Sri Yogesh Kumar Saxena, learned counsel for the petitioner, Sri R.P. Dubey, learned Addl. Chief Standing Counsel, who appears for Respondent Nos. 1 and 4 and Sri Kushmondeya Shahi, who appears for Respondent Nos. 2 and 3 and Sri V.K. Singh, learned Senior Counsel, who appears for Respondent no.5.

Principally, the challenge raised in the present petition is for quashing the order dated 17.09.2023 passed by the third respondent, Secretary, U.P. Secondary Education Service Selection Board.

This Court entertained the present petition on 27.09.2023, while passing the following orders:-

"Sri Saxena, learned counsel for the writ petitioner submits that the order which is being impugned in the present writ petition dated 07.08.2023 which is stated to be passed by the Secretary, U.P. Secondary Education Service Selection Board at page 40 is a forged document as according to him, Secretary does not possess the power under Section 21 of the U.P. Act No. 5 of 1982.

Sri Shahi, learned counsel who appears for the second respondent has placed before this Court the Attendance Register according to which the said letter seems to have not been dispatched, however, he wants to confirm the same.

On his request, put up this case on 10.10.2023 as fresh.

The Attendance Register be dispatched itself by today is taken on record."

Today, when the matter has been taken up, Sri Kushmondeya Shahi, who appears for the Respondent Nos. 2 and 3 has made a statement at Bar that the order challenged in the present writ petition dated 07.08.2023 passed by the third respondent, Secretary, U.P. Secondary Education Service Selection Board is a forged order. He further submits that the matter needs to be

enquired in that regard.

To such a submission, Sri V.K. Singh, learned Senior Counsel for the fifth respondent and learned Addl. Chief Standing Counsel, who appears for Respondent Nos. 1 and 4 submits that if the position is so, then an enquiry should be initiated and the criminal proceedings be also lodged.

Considering the submissions of the rival parties as well as the stand taken by them, the writ petition is being ***consigned to record*** directing for initiation and conclusion of proceeding within a period of three months with regard to the probing the said aspect of the matter and the compliance report be sent to the Registrar General of the High Court, Allahabad.

Parties are at liberty to take further course of action as and when the same is required.

Order Date :- 17.10.2023
N.S.Rathour