

Court No. - 35

Case :- WRIT - A No. - 15760 of 2023

Petitioner :- Smt. Shubhra Singh

Respondent :- State Of U.P. And 7 Others

Counsel for Petitioner :- Virendra Singh, Abhishek Tiwari

Counsel for Respondent :- C.S.C., Bharat Pratap Singh, Vivek Kumar Rai

Hon'ble Vikas Budhwar, J.

Heard Sri Virendra Singh, learned counsel for the petitioner, Sri Shailendra Singh learned Standing Counsel, who appears for respondent No.1, Sri Ravi Prakash holding brief for the respondents 2 and 3 and Sri Bharat Pratap Singh for the respondents no. 3 and 4.

In view of the order, which is being proposed to be passed today, notices are not being issued to the 5 to 8 respondents.

The case of the writ petitioner is that in pursuance of the exercise undertaken by the respondents the writ petitioner who possess the academic qualification of B.Ed., B.T.C and M.Ed. was accorded appointment as a Lecturer in the institution in question. She further claims that her appointment was also approved by the University. It is further the case of the writ petitioner that by virtue of a communication dated 14.6.2023 which is at page 78 of the paper book the institute in question proceeded to terminate engagement of the writ petitioner.

Apart from this the writ petitioner has also challenged an order dated 20.7.2023 of the Registrar of the Dr. Bhim Rao Ambedkar University, Agra in so far as it seeks to grant engagement to the eighth respondent.

A supplementary affidavit has been filed by the writ petitioner bringing on record the order dated 14.6.2023 dispensing with the services of the writ petitioner which according to the writ petitioner was sent through speed post and further pasted outside the institute in question.

Learned counsel for the writ petitioner relies upon the various Government Orders according to which the writ petitioner is

entitled to certain protections and the writ petitioner services could not be abruptly stopped without holding inquiry proceedings as contemplated under law.

Sri Ravi Prakash, has produced before this Court communication of the University dated 13.10.2023 whereby a four member committee has been constituted in order to probe the allegations of the writ petitioner and a date has been fixed on 25.10.2023 in that regard. He submits that all the issues with the writ petitioner seeks to raise would be addressed by the said committee and a final order would be passed by the University at his own level. He further submits that he does not propose to file any response to the writ petition. The said submission of the learned counsel for the University has been accepted by Sri Shailendra Singh learned Standing Counsel and Sri Bharat Pratap Singh who appears for the fourth respondent.

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

Considering the submissions of the rival parties as well as stand taken by them, the writ petition is being disposed off providing that the writ petitioner may appear before the Committee so constituted by the University and place its stand before it taking all the contentions legal as well as factual and this Court has no reason to disbelieve that the said exercise shall be concluded within a period of two months from the date of presentation of the certified copy of the order strictly in accordance with law and putting notice the respondents no. 5 to 8 in that regard.

Needless to point out that the writ petition has been decided without seeking any response from the respondents. Thus, passing of this order may not be construed to an expression that this Court has gone into the merits of the case.

With the aforesaid observation, the writ petition is **disposed off**.

Instructions filed today is taken on record and marked as Appendix-A.

Order Date :- 17.10.2023
piyush