

Court No. - 35

Case :- WRIT - A No. - 16064 of 2023

Petitioner :- Dr. Ajay Sharma

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

Counsel for Petitioner :- Santosh Kumar Pandey

Counsel for Respondent :- CSC,Rohit Pandey

Hon'ble Vikas Budhwar,J.

Heard Sri Santosh Kumar Pandey, learned counsel for the petitioner, Sri S.K. Mishra, learned Standing Counsel, who appears for respondent 1 and Sri Rohit Pandey, learned counsel for the respondents no. 2 and 3.

The case of the writ petitioner is that the second respondent, Registrar Bundelkhand University, Jhansi got published an advertisement no.2 of 2021-22 for recruitment on the post of Professors, Associate Professors and Assistant Professors under EWS category in the year 2021, the post in question was earmarked under EWS category however now again in the year 2023 again the said post has been earmarked under EWS category.

The writ petitioner contends that in view of specific provision contained under Section 3 Subsection (6) of Uttar Pradesh Public Services (Reservation for Economically Weaker Sections) Act, 2020 the post in question cannot be carried forward.

Prayer in the present petition is for quashing of the advertisement no.11/2023-24 dated 25.8.2023.

Sri Rohit Pandey who appears for the University submits that the writ petitioner is not an applicant in pursuance of both the advertisement and further as per the Section 3 Subsection (6) of the Act, 2020 in pursuance of the Government Order dated 13.8.2019 a 100 point roster has been prepared and until and unless the same is exhausted they same will remain in operation. However he further submits that the writ petitioner may represent his cause before the second respondent who shall address to the claim of the writ petition.

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 without seeking any response from the respondents granting liberty to the writ petitioner to prefer a comprehensive representation along with the self-attested copy of the writ petition before the second respondent, Registrar Bundelkhand University, Jhansi , who shall on the receipt of the same, proceed to decide the claim of the petitioner strictly in accordance with law within a period of one month from the date of presentation of the certified copy of the order.

Since the order has been passed on the concession made by the Sri Rohit Pandey who appears for the University thus this order may not be construed to be precedent in future cases. n that this Court has gone into the merits of the case

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

Order Date :- 12.10.2023

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