

Court No. - 35

Case :- WRIT - A No. - 16701 of 2023

Petitioner :- Shreya

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Rohit Dwivedi

Counsel for Respondent :- C.S.C., Krishna Kumar Chand

Hon'ble Vikas Budhwar,J.

On the oral request of learned counsel for the petitioner, he is permitted to correct the array of parties with respect to Respondent Nos. 2 and 3.

Heard Sri Rohit Dwivedi, learned counsel for the petitioner, Sri H.K. Shukla, the learned Standing Counsel, who appears for Respondents 1, 2 and 4 and Sri Kushmondeya Shahi, who appears for Respondent no.3.

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

The case of the writ petitioner is that an advertisement was published by the Uttar Pradesh Secondary Education Service Selection Board for recruitment on the post of Trained Graduate Teacher (TGT) being 19 in number, breaking whereof was 12 UR 4 OBC and 3 SC. The writ petitioner claims to have participated in the said selection, and was placed at Sl. No.24 of the waiting list, however, one Smt. Garima Gupta at Sl. No.16. The said selection was cancelled due to non-fulfillment of exhibited criteria. The writ petitioner claims to have represented his cause while inviting attention towards page-94, it is being sought to be suggested that the District Inspector of Schools, Auraiya had required the Secretary/ Board to take the decision by virtue of the representations dated 11.07.2022 and on 23.8.2022, the Secretary of the Board required the District Inspectors of Schools, Auraiya to take decision.

Prayer in the present petition is for a direction to the respondents to take appropriate decision in that regard.

Sri H.K. Shukla, learned Standing Counsel and Sri Kushmondeya Shahi submit that in view of the amendment made in Rule 13(5) of 1998 Rules on 31.03.2023, now it is the second respondent, Director Secondary Education, Prayagraj, who has to take

appropriate decision in that regard. They further submits that they do not propose to file any response.

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

Considering the submission of the rival parties as well as the 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 approach the second respondent, along with a comprehensive representation accompanied with self-attested copy of the writ petition, who shall, on the receipt of the same, put to notice the fifth and sixth respondents and thereafter proceed to consider the claim of the writ petitioner within a period of three months from the date of production of certified copy of the order.

Needless to point out that the writ petitioner 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 adjudicated the matter on merits.

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

Order Date :- 20.11.2023
N.S.Rathour