

**Court No. - 35**

**Case :-** WRIT - A No. - 16957 of 2023

**Petitioner :-** Anjani Kumar Tiwari And 10 Others

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

**Counsel for Petitioner :-** Aishwarya Kumar Singh, Rajesh Kumar Singh, Utkarsh Kumar Singh

**Counsel for Respondent :-** C.S.C, Ran Vijay Singh

**Hon'ble Vikas Budhwar, J.**

Heard Sri Rajesh Kumar Singh, learned counsel for the petitioners who are 11 in number and Sri Pradeep Kumar Shahi, learned Additional Chief Standing Counsel, who appears for respondent no. 1 and Sri Tazim Ansari (AOR No.A/T1465/2023) holding brief of Sri Ran Vijay Singh, who appears for respondents no. 2 and 3.

The case of the writ petitioner that the petitioners were working as Class-IV post of the Peon in the respondent University on different dates in the year 1990/1991. However their services were transformed into the Ad hoc capacity in the year 1995, 1997, 2000 & 2001 respectively. They claim to have been regularized on 11.9.2014 on Class-IV post as the said averments have been made in para-11 of the writ petition.

The grievance of the writ petitioners is that pursuant to the resolution of the Executive Council dated 10.1.2018 and the communication of the second respondent, Vice Chancellor, Veer Bahadur Singh, Purvanchal University, Jaunpur, now their case is not being considered for absorption against the sanctioned Class-IV post in regular cadre according to the seniority and the issue with regard to regularisation against supernumerary post of Peon and they further seek to be considered for deduction of GPF from the petitioners' salary each and every month regularly and continuously as per the Executive Councils resolution dated 28.4.2015, 27.4.2016 and 14.12.2016.

Sri Tazim Ansari holding brief of Sri Ran Vijay Singh, learned counsel for the respondents no. 2 and 3 submits that the issues with the writ petitioners are raising needs determination at the level of third respondent and according to him the writ petitioners may represent their cause before the third respondent, the Registrar, Veer Bahadur Singh Purvanchal University, Jaunpur who shall

address to the claim of the writ petitioner within the time stipulated by this Court. He further submits that the University does not propose to file any response to the writ petitioner. The said submission of learned counsel for the respondents no. 2 and 3 has been adopted by the first respondent. Counsel for the first respondent Sri Pradeep Kumar Shahi, learned Additional Chief Standing Counsel.

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 the third respondent, the Registrar, Veer Bahadur Singh Purvanchal University, Jaunpur who shall on the receipt of the same, proceed to decide the entitlement of the petitioners strictly in accordance with law within a period of three months from the date of presentation of the certified copy of the order as per the statutory schemes, government orders etc. without being influenced or obsessed by any of the observations.

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**.

**Order Date :- 16.10.2023**

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