

Court No. - 35

Case :- WRIT - A No. - 17319 of 2023

Petitioner :- Nitin Singh

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

Counsel for Petitioner :- Sandeep Kumar

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar,J.

Heard Sri Sandeep Kumar, learned counsel for the petitioner and Sri Manoj Vashistha learned Standing Counsel, who appears for respondents 1 and 2.

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

The case of the writ petitioner is that the third respondent institution, Gandhi Inter College Patel Nagar Jhansi, District Prayagraj there are four posts of Clerks and certain vacancies fell vacant pursuant where to The District Inspector of Schools, Prayagraj accorded permission on 3.10.2022 and an advertisement was published by the respondents institution wherein candidates appeared and there was selected. However, since no approval was accorded so the writ petitioner approached the second respondent, the District Inspector of Schools, Prayagraj for approving the appointment in that regard. Reminders were also submitted but nothing has been done in this regard.

Prayer in the present petition is for a direction to respondents to accord consideration to the claim of the writ petitioner for appointment in the Class-III post.

Learned Standing Counsel submits that these issues needs determination at the first instance by the second respondent. He further submits that he does not propose to file any response to the writ petition.

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, the District Inspector of Schools, Prayagraj, put to notice to the third respondent and thereafter proceed to decide the

entitlement of the petitioner strictly in accordance with law within a period of two months from the date of presentation of the certified copy of the order.

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 :- 20.11.2023

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