

Court No. - 35

Case :- WRIT - A No. - 17139 of 2023

Petitioner :- Shadama Aziz

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Pankaj Kumar Ojha, Seemant Singh

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar, J.

Heard Sri Pankaj Kumar Ojha, learned counsel for the writ petitioner and Sri Ratan Deep Mishra, learned Standing Counsel, who appears for respondents 1, 2 and 3.

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

The case of the writ petitioner is that pursuant to the recruitment exercise undertaken, advertisement no.2 of 2010 the writ petitioner applied for the post of Lecturer (English) and was allotted Roll No. 040301386. The writ petitioner was subjected to the interview held on 16.1.2012, however she was accorded placement on 6.8.2012 in Nagar Palika Kanya Inter College, Budaun however when the writ petitioner went to join then she was not accorded joining at the said post was already being filled up by Smt. Anita Jain. The writ petitioner kept on running from pillar to post however again on 28.4.2017 she was informed under the Right To Information Act, 2005 and thereafter on 2.5.2017 she was again permitted to join in the institution wherein the placement was accorded however again she was not allowed and in the meantime according to the writ petitioner certain litigation cropped up and now on 5.12.2018 she has been accorded joining in the fourth respondent institution Chandra Balika Inter College New Agra.

Prayer in the present petition is for a direction to the respondents to grant benefits to the writ petitioner in pursuance of the first recommendation of the placement dated 6.8.2012.

Learned Standing Counsel who appears for the respondents submits that the issues with the writ petitioner seeks to raise needs determination at the first instance by the second respondent who shall address to the claim of the writ petitioner. He further submits that let the writ petitioner may represent his cause before the

second 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 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, Director of Directorate Secondary Education, U.P. Lucknow who shall on the receipt of the same, put to notice the fourth respondent and the other affected parties and thereafter proceed to decide the entitlement of the writ petitioner strictly in accordance with law within a period of two months from the date of presentation of the certified copy of the order. In case the second respondent is of the opinion that matter needs to be addressed by any other authority then the papers be transmitted to it with due communication to the writ petitioner and the affected parties.

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 :- 6.11.2023

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