

Court No. - 35

Case :- WRIT - A No. - 17093 of 2023

Petitioner :- Committee Of Management St. Josephs Girls Inter College And Another

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

Counsel for Petitioner :- Rajesh Kumar Gautam

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar,J.

1. Heard Sri Rajesh Kumar Gautam, learned counsel for the writ petitioners who are two in number and Sri Shailendra Singh, learned Standing Counsel who appears for respondents No. 1 to 4.

2. The case of the writ petitioner is that which is a minority institution conferred with certain benefits of under Article 30 of the Constitution of India. The post of Principal fell vacant on 31.03.2023 the writ petitioner claims to have approached the fourth respondent for according permission for recruitment on the post of Principal on officiating/ad hoc basis.

3. Grievance of the writ petitioner is that till date no action whatsoever has been taken.

4. Sri Shailendra Singh, learned Standing Counsel submits that the issue as to whether permission is to be accorded District Inspector of Schools, Agra needs determination at the first instance by it, thus, he submits that the writ petitioner may approach the fourth respondent he does not propose to file any response to the writ petition.

5. Considering the submission of the rival parties as well as the stand taken by them, the writ petition is being disposed of 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 fourth respondent, District Inspector of Schools, Agra who shall proceed to decide the claim of the writ petitioner within a period of six weeks from the date of production of certified copy of the order.

6. Needless to point out that passing of this order may not be construed to be an expression that this Court has adjudicated on

the merits of the matter and further the fourth respondent, District Inspector of Schools, Agra shall pass an order without being influenced or obsessed by any of the observations made hereinabove.

Order Date :- 18.10.2023

Rajesh