

Court No. - 35

Case :- WRIT - A No. - 17106 of 2023

Petitioner :- Ravi Pratap Singh

Respondent :- State Of U.P. And 7 Others

Counsel for Petitioner :- Shreya Gupta, Ravi Anand Agarwal

Counsel for Respondent :- C.S.C., Bal Mukund Singh

Hon'ble Vikas Budhwar, J.

Heard Ms. Shreya Gupta, learned counsel for the petitioner, Sri Santosh Kumar, learned Standing Counsel, who appears for respondent no.1 and Sri Bal Mukund Singh, learned counsel for the respondents no. 2, 4 to 7

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

The case of the writ petitioner is that the writ petitioner post completion of Ph.D. in the year 1993 was appointed on the post of Reader on 11.10.1998 as whereas the eighth respondent who completed Ph.D. in the year 1994 was granted promotion to the post of Reader in Career Advancement Scheme Cadre in the year 2003 itself. It is the case of the writ petitioner there happens to be a seniority dispute between the writ petitioner and eighth respondent.

The writ petitioner claims to have approached the third respondent, the Chancellor, Deen Dayal Upadhyay Gorakhpur University, Gorakhpur questioning the seniority of the eighth respondent which finally came to be decided on 19th March, 2021 requiring the writ petitioner to approach the Executive Council of the University in question. He further claims to have preferred an appeal/representation before the Executive Council on 17.4.2021 which is appended as annexure-13 at page 84 of the paper book reference whereof has been made in paragraph no. 25 of the writ petition.

The grievance of the writ petitioner is that on account of the pendency of the appeal before the Executive Council, the eighth respondent is being conferred with benefit which he is not entitled to blocking the chances of the writ petitioner with respect to her promotional prospects.

Ms. Shreya Gupta, learned counsel for the petitioner at this stage submits that a direction be issued to the Executive Council to decide the pending appeal/representation of the writ petition.

Sri Bal Mukund Singh, learned counsel for the University as well as learned Standing Counsel on the other hand submits that be that as it may be since as per the writ petitioner the appeal/representation is pending before the Executive Council thus according to them a direction be issued to the Executive Council to decide the same with most expedition preferably within a period of two months from the date of production of certified copy of the order after putting to notice the eighth respondent also. They further submit that they do 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 requiring the fourth respondent, Executive Council, Deen Dayal Upadhyay Gorakhpur University, Gorakhpur to decide the pending appeal of the writ petitioner within a period of two months strictly in accordance with law after putting to notice the eighth respondent.

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 :- 18.10.2023

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