

Court No. - 35

Case :- WRIT - A No. - 17275 of 2023

Petitioner :- C/M Shri Jawahar Inter College

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

Counsel for Petitioner :- Pragati, Archana Jha, Shaili Ganguly

Counsel for Respondent :- C.S.C, Krishna Kumar Chand

Hon'ble Vikas Budhwar, J.

1. On the oral request of learned counsel for the parties, Joint Director of Education, Meerut Mandal, Meerut is permitted to be impleaded as respondent no. 5.

2. The instructions filed today are taken on record and marked as Appendix 'A'.

3. This Court while entertaining the present writ petition on 20.11.2023 proceeded to pass the orders:-

The contention of the learned counsel for the writ petitioner is that the appointment of the fourth respondent, Shri Ishwar Chandra Vidyasagar was disapproved by the District Inspector of Schools on 22.09.2003 against which he preferred Writ A No. 27889 of 2004 in which a conditional interim order was granted on 10.03.2006 and thereafter, on 27.02.2006 the interim order was confirmed. As per the pleadings, it appears that the said writ petition came to be disposed of on 18.08.2008 whereby the order impugned was set aside requiring the District Inspector of Schools to pass fresh orders and intra-court appeal is stated to have been preferred against the interim order which has been rejected and on 11.11.20 District Inspector of Schools, Gautam Budh Nagar post passing of the orders by this Court had accorded sanction for payment of salary. An application is stated to have been preferred by the writ petitioner Committee of Management for passing appropriate orders with regard to approval/disapproval of the appointment of the fourth respondent but according to the writ petitioner on 15.06.2023 only direction has been issued for payment of salary.

Sri Santosh Kumar Mishra, learned Standing Counsel who appears for the State official respondents seeks time to obtain instructions as to whether the final orders of approval/disapproval of the appointment of the fourth respondent has been passed or not.

On his request, put up this case on 30.11.2023 as fresh.

4. Pursuant to the order dated 25.11.2023, instructions under the signature of District Inspector of Schools, Gautam Buddha Nagar dated 25.11.2023 has been provided to this Court, according to which the respondent no. 4 herein had filed Writ-A No. 14905 of

2023 which came to be disposed of on 6.9.2023 for consideration of his claim for being regularized.

5. Under the instructions as referred to above, it has also come on record that the proceedings are still pending with regard to the entitlement of the respondent no. 4.

6. Sri Saurabh, learned Standing Counsel submits that the matter is pending before the Joint Director of Education, Meerut, who shall accord consideration to the said claim.

7. To such a submission, Ms. Shaili Ganguly, learned counsel for the petitioner has no objection. She says that let a decision be taken in a most expeditious manner.

8. The same stand has also been taken by learned counsel for the respondent no. 2.

9. Considering the submissions of the counsel for the parties, the writ petition stands disposed of requiring the respondent no. 4 to take an appropriate decision regarding the entitlement of the respondent no. 4 and the claim of the writ petitioner, herein within a period of one month after putting on notice to writ petitioner and respondent no. 4 strictly, in accordance with law.

10. With the aforesaid observations, the writ petition stands disposed of.

Order Date :- 30.11.2023
S.A.