

Court No. - 35

Case :- WRIT - A No. - 17405 of 2023

Petitioner :- Dr. Rekha Lagarkha And 11 Others

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

Counsel for Petitioner :- Rohan Gupta,Ashok Kumar Srivastava

Counsel for Respondent :- C.S.C.,Rohit Pandey

Hon'ble Vikas Budhwar,J.

Heard Sri Rohan Gupta, learned counsel for the petitioner, Sri Gaya Prasad Singh, the learned Standing Counsel, who appears for Respondent No. 1 and Sri Rohit Pandey, who appears for Respondent Nos. 2 to 4.

Sri Rohan Gupta, learned counsel for the petitioner has made a statement at Bar as per the instructions received by him that he is not pressing the Prayer No.1 in so far as it pertains to quashing of the Advertisement No.12 of 2023-24 issued by the Office of the fourth respondent, Registrar, Bundelkhand University, U.P., Jhansi for filling up the post of Professor, Associate Professor and Assistant Professor under Self-Financing Scheme in the various institutions/ department. He thus confines his prayer for a mandamus to formulate a 'Career Advancement Scheme' as soon as possible and to consider the case of the writ petitioners for promotion to the post of Professor and Associate Professor under the Self-Financing Scheme.

Learned counsel for the writ petitioner has invited the attention of this Court towards Annexure-1 at Page-46A, reference whereof has been given in paragraph-10, Annexure-2 at Page-49, reference whereof has been given in paragraph-11, as well as Annexure-10 at Page-77 reference whereof has been given in paragraph-24 of the writ petition, so as to contend that there happened to be an office order of the respondent-University for making the teaching members of the Institution in question entitled under the Self-Financing Scheme for being made admissible for Career Advancement Scheme. He also relied upon the recommendation of the National Assessment and Accreditation Council, Bangalore (NAAC) to the said extent.

Submission is that once there are communications of the University as well as the recommendations of NAAC, then the writ petitioner is entitled to the said benefits.

Sri Rohit Pandey, who appears for Respondents 2 to 4 on the other hand submits that it is always open for the writ petitioner to approach the University for taking the decision in this regard, as obviously the University acts in a transparent and impartial manner in that regard.

Having considered the submission of the rival parties as well as the stand taken by them, the writ petition is being disposed off granting liberty to the writ petitioner to approach the third respondent, Vice-Chancellor, Bundelkhand University, along with a comprehensive representation accompanied with self-attested copy of the writ petition, who shall, on the receipt of the same, proceed to consider the claim of the writ petitioner within a period of two months from the date of production of certified copy of the order bearing in mind the recommendations as well as the office memorandum issued from time to time.

With the aforesaid observations the writ petition stands **disposed off**.

Order Date :- 1.12.2023

N.S.Rathour