

Court No. - 35

Case :- WRIT - A No. - 17550 of 2023

Petitioner :- Ajay Vikram Singh

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Raj Kumar Mishra, Mahesh Kumar Sahu

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar, J.

Heard Sri Raj Kumar Mishra, learned counsel for the petitioner and Sri Manoj Vashisth learned Standing Counsel, who appears for Respondents 1 and 2.

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

The case of the writ petitioner is that he was selected on the post of Lecturer, Geography and by virtue of the appointment order dated 13.09.2013, he was appointed as Lecturer of Geography in the third respondent institution, Government Raza Post Graduate College, Rampur, U.P. It is further the case of the writ petitioner that he in pursuance of the recruitment drive initiated by the respondent was selected in the PCS examination-2018 conducted by the U.P. Public Service Commission and he joined on the post of Deputy S.P. It is further the case of the writ petitioner that thereafter by virtue of an order dated 28.05.2021 of the State Government was relieved from his earlier assignment and with a condition that in case the writ petition stands confirmed and absorbed as Deputy S.P. then his lien would come to an end. The case of the writ petitioner is that he joined on 01.06.2021 as Deputy S.P. (trainee) in Dr. Bhim Rao Ambedkar Police Academy, Rampur, however the writ petitioner thereafter gave a second thought that he may be relieved and be posted in the third respondent institution as a lecturer in Geography. The writ petitioner claims to be represented his cause. As per the writ petitioner, there happens to be a communication of the Joint Director of Education on behalf of Director of Higher Education Uttar Pradesh addressed to the Special Secretary U.P. dated 01.12.2021 Annexure 9 at page 38 reference whereof has been given in para 12 of the writ petition so as to contend that there happens to be a recommendation for joining of the writ petitioner in the third respondent institution. It is further the grievance of the

writ petitioner thought that despite the fact that there happens to be certain communication in his favour but no final orders have been passed.

Prayer in the present petition is for a direction to the respondents to pass the appropriate orders in that regard.

Learned Standing Counsel on the other hand submits that the crucial question which stands arisen in the present issue is as to whether the lien of the writ petitioner had been terminated in the third respondent institution as a lecturer Geography or not. He further submits that as per the writ petitioner matter is engaging attention before the first respondent thus the first respondent be directed to take appropriate decision and they do not propose to file any response.

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 first respondent, who shall on the receipt of the same, proceed to decide the claim of the petitioner strictly in accordance with law bearing in mind the terms and the conditions and the selections appointment and the issue referable to termination of the lean in the earlier assignment within a period of two months from the date of presentation of the certified copy of the order.

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 :- 3.11.2023

A. Prajapati