

Court No. - 35

Case :- WRIT - A No. - 17772 of 2023

Petitioner :- Dr. Trived Kumar

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

Counsel for Petitioner :- Prabhakar Awasthi, Shashi Kant Mishra

Counsel for Respondent :- C.S.C., Avneesh Tripathi

Hon'ble Vikas Budhwar, J.

Heard Sri Prabhakar Awasthi, learned counsel for the petitioner, Sri Shailendra Singh, learned Standing Counsel, who appears for Respondent no. 1 and Shri Avneesh Tripathi, learned counsel for the respondent Nos. 2 and 3.

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

The writ petitioner claims to be selected on the post of principal on 23.06.2018 in the fourth respondent institution Greater Noida Institute of Management, Plot No. 6-B, Knowledge Park-2, Greater Noida, District Gautam Budh Nagar approval whereof was granted by the respondent-University on 04.01.2020, however according to the writ petitioner, he was removed from service on 23.02.2022 without complying with the provisions contained under Section 35 of the U.P. State Universities Act, 1973. On a representation of the writ petitioner, the Registrar of the respondent-University issued a communication dated 17.07.2023 to the fourth respondent for reinstatement of the services of the writ petitioner and payment

of consequential benefits.

Prayer in the present petition is for a direction to the respondent-University to forthwith ensure compliance of the order dated 17.07.2023.

Shri Avneesh Tripathi, learned counsel for respondent-University submits that since the matter is pending before third respondent, Vice Chancellor, Chaudhary Charan Singh University, Meerut in pursuance of a representation preferred by the respondent on 07.08.2023 for compliance of the order dated 17.07.2023 thus the third respondent be directed to take appropriate decision.

Learned Standing Counsel has adopted the submission of the learned counsel for the parties.

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 third respondent to take follow up action pursuant to the order dated 17.07.2023, who shall proceed to decide the claim of the

petitioner strictly in accordance with law within a period of six weeks from the date of presentation of the certified copy of the order, in order to facilitate any disposal of the claim, the writ petitioner shall approach the third respondent who shall thereafter put to notice the fourth 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 :- 20.11.2023

A. Prajapati