

Court No. - 40

Case :- WRIT - C No. - 38441 of 2023

Petitioner :- Smt. Guddi Devi

Respondent :- State Of U.P. And 6 Others

Counsel for Petitioner :- In Person

Counsel for Respondent :- C.S.C

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Prashant Kumar,J.

1. Heard the petitioner in person and Shri Sharad Chandra Upadhyay, learned Standing Counsel for State respondents.

2. In view of the order proposed to be passed, notices need not go to private respondent no.7.

3. Present writ petition has been preferred for a direction to respondent no.2-U.P. Scheduled Castes and Scheduled Tribes Commission (in short "the Commission") to decide the application/complaint of the petitioner within the stipulated period of 60 days as per the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (in short "the Act").

4. The petitioner claims to be Graduate and belongs to Scheduled Tribe Community. She is working as 'Asha Swasthyakarmi'. In pith and substance the petitioner is aggrieved by the selection of respondent no.7 as 'Aasha Sangini' in place of her. It is alleged that respondent no.7 has been selected on the basis of fraudulent entries ignoring the qualifications of the petitioner. In this regard, the petitioner has made complaint to the Commission and as such it is precisely submitted that the Commission may be directed to decide the complaint of the petitioner within stipulated period of 60 days. Reliance has been placed on the Gazette Notification dated 14.4.2016, wherein limitation of 60 days has been provided for addressing the claim. It is alleged that inspite of her best endeavour, till date her complaint has not been decided.

5. The aforesaid prayer has not been resisted by learned Standing Counsel. He submits that in case the proceedings are pending consideration, definitely the same would be finalised expeditiously in view of gazette notification dated 14.4.2016.

6. Considering the facts and circumstances of the case, without expressing any opinion on merits of the issue and with the consent,

the writ petition stands **disposed of** asking the second respondent to finalise the aforesaid proceeding/complaint, if any, expeditiously and preferably within 60 days from the date of production of certified copy of this order, without according unnecessary adjournment to either of the parties, but certainly after giving opportunity to all the stake holders in the matter including respondent no.7.

Order Date :- 13.12.2023
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