

Court No. - 35

Case :- WRIT - A No. - 17735 of 2023

Petitioner :- Nand Kishore Mishra

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Vinod Kumar Singh

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar,J.

1. The instructions dated 29.11.2023 of the District Inspector of Schools, Kanpur Nagar is kept on record and marked as Appendix-A.
2. Heard Sri Vinod Kumar Singh, learned counsel for the petitioner and Sri Vijay Pratap Singh, learned Standing Counsel, who appears for the respondents.
3. The principle challenge in the writ petition is to the communication dated 11.09.2023 of the District Inspector of Schools, Kanpur Nagar whereby a two member committee has been constituted in pursuance to the directions of the District Magistrate, Kanpur Nagar regarding the validity of the appointment of the writ petitioner.
4. The matter was entertained by this Court on 28.11.2023 on that date instructions were provided dated 25.11.2023 of District Inspector of Schools, Kanpur Nagar thereafter the matter was fixed for today. Sri Vijay Pratap Singh, learned Standing counsel has produced before this Court the instructions under the signatures of District Inspector of Schools, Kanpur Nagar dated 29.11.2023 according to which since the said institution comes within the realm of local authority, thus the committee which had been constituted is not empowered to conduct inquiry, thus it will not proceed with the inquiry.
5. Bearing in mind the stand taken by the state official respondents and encapsuled in the instructions dated 29.11.2023 the writ petition has outlived its utility thus the writ petition is disposed of that whenever inquiry would be conducted that should be as per the law and by the competent authority.
6. With the aforesaid observation, the writ petition is ***disposed off***.

Order Date :- 29.11.2023

Suraj Srivastav

