

Court No. - 40

Case :- WRIT - C No. - 37058 of 2023

Petitioner :- Ashok Kumar Gond And Another

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

Counsel for Petitioner :- Jamil Ahamad Azmi, Mariyam Azmi

Counsel for Respondent :- C.S.C., Shashi Prakash Singh

Hon'ble Mahesh Chandra Tripathi, J.

Hon'ble Prashant Kumar, J.

1. Heard learned counsel for the petitioner and Sri S.C. Upadhyay, learned Standing Counsel for the State respondents.

2. Present writ petition has been preferred seeking following reliefs:-

"(i) Issue a writ of certiorari for quashing the order dated 05.9.2023 passed by District Level Caste Committee and judgment and order dated 22/23.09.2023 passed by Regional Level Caste Scrutiny Committee, Azamgarh, respondent no.2.

(ii) Issue writ, order or direction in the nature of mandamus directing the respondent no.4 not to interfere in the peaceful working of petitioners as Assistant Teacher."

3. Per contra, learned Standing Counsel has vehemently opposed the writ petition on the ground that against the impugned order passed by the District Level Caste Scrutiny Committee the petitioner has got efficacious remedy to assail the validity of the same before the Regional Level Caste Scrutiny Committee. As such, it is submitted that the writ petition is liable to be dismissed.

5. We have proceeded to examine the record in question and find substance in the objection raised by learned Standing Counsel. Without expressing any opinion on merits of the issue, with the consent of the parties and in the interest of justice, it is provided that in case the petitioner files an appeal before the Regional Level Caste Scrutiny Committee within ten days from today, definitely the same would be considered on merits and proceedings would be finalized within three weeks thereafter.

6. The writ petition is, accordingly, ***disposed of.***

Order Date :- 8.11.2023

S.P.