

Court No. - 35

Case :- WRIT - A No. - 18420 of 2023

Petitioner :- Sunil Babu

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

Counsel for Petitioner :- Surendra Prasad Sharma

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar,J.

Heard Sri Surendra Prasad Sharma, learned counsel for the writ petitioner and Sri Dhirendra Singh, learned Standing Counsel, who appears for Respondents 1, 2 and 3.

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

The case of the writ petitioner is that there happens to be an institution by the name of Atarra Post Graduate College, Atarra, Banda which as per the description exhibited in co-relation with third respondent there happens to be an authorised controller manning the said institution. According to the writ petitioner, he was appointed on the post of routine grade clerk on 29.06.2006 and he assumed charge on 06.07.2006. As per the writ petitioner, owing to certain allegations, he was placed under suspension on 20.09.2023 by the Principal of the institution in question, fifth respondent. According to him, till date no charge sheet whatsoever has been issued to him and further the charges are not such, so as to warrant major punishment so the suspension could not have been done.

Prayer in the present petition is for quashing of the order dated 20.09.2023 passed by the Principal, fifth respondent of the institution in question to accord consideration to the claim of the writ petitioner.

According to the learned Standing Counsel, there is nothing on record to substantiate the fact that as to whether any approval has been accorded by the second respondent, Regional Higher Education Officer, Jhansi Region, Jhansi thus according to him, a direction be issued to the second respondent, Regional Higher Education Officer, Jhansi Region, Jhansi to look into the matter and to pass orders in that regard. He submits that let the writ

petitioner represent his cause before the second respondent, Regional Higher Education Officer, Jhansi Region, Jhansi who shall address to the claim of the writ petitioner.

To such a submission, learned counsel for the writ 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 second respondent, Regional Higher Education Officer, Jhansi Region, Jhansi who shall on the receipt of the same, after putting to notice to the authorised controller or the legally elected committee of management the fifth respondent and proceed to decide the claim of the petitioner strictly in accordance with law within a period of three weeks 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 :- 2.11.2023

A. Prajapati