

Court No. - 35

Case :- WRIT - A No. - 18324 of 2023

Petitioner :- C/M Adarsh Janta Inter College, Gyaspur Kannauj Through Its Manager Sri Bhanoo Pratap Singh

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

Counsel for Petitioner :- Ravindra Kumar, Bhaju Ram Prasad Sharma

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar, J.

Heard Sri B.R. Sharma, learned counsel for the petitioner as well as Sri Santosh Kumar, the learned Standing Counsel, who appears for Respondent Nos. 1 to 4.

The case of the writ petitioner is that the writ petitioner, Committee of Management Adarsh Janta Inter College, Gyaspur, District Kannauj is an institution recognized under the provisions of U.P. Intermediate Education Act, 1921 and the provisions of U.P. Act No.24 of 1971 stand applicable.

It is the case of the writ petitioner that there are three posts of Clerks sanctioned; one post of Clerk is vacant, and the two posts of Clerks are already filled by direct recruitment and promotion.

It is the case of the writ petitioner that the proposal was sent to the respondents on 12.10.2022 for according permission, but nothing has been done in this regard. The writ petitioner further claims to have submitted another proposal seeking the approval.

The prayer in the present petition is for a direction to the second respondent, Director, Secondary Education, U.P. Lucknow to accord consideration to the same.

Sri Santosh Kumar, learned Standing Counsel who appears for the respondents submits that the issues which the writ petitioner is seeking to raise needs determination at the first instance by the second respondent, as according to him, since the same is engaging the attention before the respondents, thus the petitioner may approach the respondents, who shall consider and deal with the grievances of the representation. He further submits that he does not propose to file any response to the writ petition.

To such a submission, learned counsel for the writ petitioner has no objection and he gracefully accepts the same.

Considering the submission of the rival parties as well as the 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 approach the second respondent, by filing a comprehensive representation accompanied with self-attested copy of the writ petition, who shall, on the receipt of the same, shall decide the claim of the writ petitioner within a period of three months from the date of production of certified copy of the order bearing in mind the total number of sanctioned strength, total number of vacancies and other incidental and ancillary issues, which would crop up during the disposal of the representation.

Needless to point out that the writ petitioner 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 adjudicated the matter on merits.

With the aforesaid observations the writ petition stands **disposed off**.

Order Date :- 1.11.2023
N.S.Rathour