

Court No. - 10

Case :- WRIT - C No. - 37959 of 2023

Petitioner :- Surendra Singh And 2 Others

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

Counsel for Petitioner :- Rahul Jain

Counsel for Respondent :- C.S.C.

Hon'ble Kshitij Shailendra,J.

1. Heard Shri Rahul Jain, learned counsel for the petitioners, learned Standing Counsel for the State-respondents and perused the record.

2. In view of order proposed to be passed, taking care of the rights of respondent No. 4, the writ petition is disposed of finally.

3. It is contended by Shri Rahul Jain, learned counsel for the petitioners that circumstances enumerated in Clause-8 of the approved Scheme of Administration have come into existence on account of non-holding of elections since long and, therefore, the petitioners being life members of the General Body have approached the respondent No.2, Joint Director of Education, Moradabad Region Moradabad by means of application dated 14.07.2023 followed by other applications and representations.

4. The present writ petition has been filed seeking the following reliefs:

"(i) to issue a writ of mandamus, order or direction in the nature of mandamus commanding the Joint Director of Education, Moradabad Region Moradabad to pass orders in the matter for appointing Authorized Controller in Gandhi Inter College, Mankua, Bijnor and for conducting fresh elections of the committee of management of Gandhi Inter College, Mankua, Bijnor on the valid list of general body.

(ii) to issue a writ of mandamus, order or direction in the nature of mandamus commanding the respondent authorities to restrain the committee of management of Gandhi Inter College, Mankua, Bijnor headed with Sri Hari Singh as Manager from functioning

(iii) to issue a writ of mandamus, order or direction in the nature

of mandamus directing the Joint Director of Education, Moradabad Region Moradabad to decide the pending representation of the petitioners, expeditiously."

5. Learned Standing Counsel submits that the Joint Director of Education has proceeded with the matter and has already called upon the concerned parties including respondent No. 4 and expeditious decision shall be taken in accordance with law in the matter.

6. Considering the facts and circumstances of the case, the writ petition is **disposed of** directing the respondent No.2, Joint Director of Education, Moradabad Region Moradabad to conclude the proceedings pending before him pursuant to the petitioners' representations/complaints/applications, after providing full opportunity of hearing to respondent No. 4 **on or before 31.01.2024.**

Order Date :- 3.11.2023

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