

Court No. - 35

Case :- WRIT - A No. - 19334 of 2023

Petitioner :- Surendra Kumar

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Ravi Agrawal

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar,J.

Heard Shri Ravi Agrawal, learned counsel for the writ petitioner as well as Shri Santosh Kumar Mishra learned Standing counsel.

Learned counsel for the writ petitioner has argued that the writ petitioner who is fully eligible and qualified in all respects was issued engagement letter on 28.07.2000 engaging him on honorarium basis. Earlier certain adverse order was sought to be passed which was subject matter of challenge in Writ A No.9647 of 2006 which came to be decided on 16.07.2012, pursuant to the District Inspector of Schools, Bijnor passed an order dated 14.12.2013 in his favour. The writ petitioner grievance is that he has been orally restrained to function in question.

Shri Santosh Kumar Mishra, learned Standing counsel submits that there is nothing on record to substantiate that either the services of the writ petitioner stands regularized if there is any legal right and further there is no order dispensing with or restraining the engagement of the writ petitioner.

I have heard the learned counsel for the parties, since the writ petitioner is alleging that the third respondent institution is restraining him to perform functions, thus, it is open for the writ petitioner to take appropriate remedy as contemplated under the statute before the competent forum, in case, such a remedy is taken then this Court has no reasons to disbelieve that the same shall be given a logical end which is permissible under the law.

With the above observations writ petition stands **disposed of**.

Order Date :- 30.11.2023

A Gautam