

Court No. - 35

Case :- WRIT - A No. - 19383 of 2023

Petitioner :- Ravish Kumar Paliwal

Respondent :- Principal Secretary Higher Education And 5 Others

Counsel for Petitioner :- Dinesh Kumar

Counsel for Respondent :- C.S.C., Vivek Kumar Rai

Hon'ble Vikas Budhwar,J.

On the oral request of the learned counsel for the writ petitioner is permitted to correct the array of the parties in so far as the first respondent is concerned during the course of the day.

The case of the writ petitioner is that in the fifth respondent institution, Paliwal Post Graduate College, Shikohabad, District Firozabad, he is working as a Lab Assistant on temporary basis under self finance scheme since 3.12.2001. He claims that his services have been extended, however on 12.8.2009 the fifth respondent institution proceeded to publish an advertisement advertising the post of Lab Assistant. Since the writ petitioner claims to be overage, he approached the fourth respondent, Director of Education U.P. at Prayagraj for according relaxation in age which was accorded on 21.2.2009, however according to the writ petitioner the said selection did not proceed further. Now another advertisement has been published on 13.8.2023 which accorded to the writ petition, the writ petitioner is referable to the same vacancy which was advertised in the year 2009, the writ petitioner submits that there is no provision either for relaxation of granting preference to the writ petitioner.

Prayer in the present petition is for a direction to the respondent to consider the grievance of the writ petitioner.

Sri Vinod Kumar Singh learned Standing Counsel, who appears for respondents 1 and 4 and Sri Ravi Prakash Singh, holding brief of Sri Vivek Kumar Rai who appears for the respondent no. 2 and 3 submits that the writ petitioner may represent his cause before the fourth respondent who shall consider the claim of the writ petitioner. They further submit that they do not propose to file any response to the writ petition.

Considering the submissions of the rival parties as well as stand taken by them, the writ petition is being disposed of without seeking any response from the respondents granting liberty to the writ petitioner to approach the fourth respondent who shall

consider the claim of the writ petitioner within a period of six weeks from the date of production of the certified copy of the order after putting to notice to the fourth and the fifth respondents.

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 of**.

Order Date :- 1.12.2023

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