

Court No. - 35

Case :- WRIT - A No. - 19274 of 2023

Petitioner :- Vidya Mandir Degree College And Another

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

Counsel for Petitioner :- Gautam Baghel

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar,J.

1. Heard Sri Utkarsh Singh (AOR A/U 1510/22) holding brief of Sri Gautam Baghel, learned counsel for the writ petitioner as well as Sri Santosh Kumar Mishra, learned Standing Counsel who appears for respondents No. 1 to 3.

2. The case of the writ petitioner is that it is an institution affiliated with Chhatrapati Sahu Ji Maharaj University, Kanpur. One post of Assistant Clerk got vacant on account of retirement of Mukesh Mohan Bhardwaj. Earlier there was a ban imposed pursuant to the Government Order dated 06.01.2011 and by virtue of a subsequent Government Order dated 24.02.2015 the ban with respect to class III was lifted.

3. Prayer in the present petition is for direction to the respondents to granted approval to fill vacant posts.

4. Sri Santosh Kumar Mishra, learned Standing Counsel submits that the issue seeks to raise needs determination at the first instance by the second respondent, Director of Higher Education, Prayagraj. He submits that he does not propose to file any response to the writ petition and the writ petitioner may represent his cause before the second respondent.

5. Considering the submission of the rival parties as well as the stand taken by them, the writ petition is being disposed of without seeking any response from the respondents while granting liberty to the writ petitioner to prefer a comprehensive representation before the second respondent, Director of Higher Education, Prayagraj who shall along with the self attested copy of the writ petition and on the receipt of the same the second respondent shall accord consideration to the same strictly in accordance with law without being influenced or obsessed by any of the observations made hereinabove within a period of three months from the date of production of certified copy of the order.

6. With the aforesaid observations, the writ petition stands disposed of.

Order Date :- 22.11.2023

Rajesh