

**Court No. - 35**

**Case :-** WRIT - A No. - 19234 of 2023

**Petitioner :-** Shivam Kumar Srivastava And 5 Others

**Respondent :-** State Of U.P. And 5 Others

**Counsel for Petitioner :-** Sudhanshu Kumar Mishra

**Counsel for Respondent :-** C.S.C., Umesh Chandra Kesarwani

**Hon'ble Vikas Budhwar, J.**

Heard Sri Sudhanshu Kumar Mishra, learned counsel for the writ petitioners who are five in numbers as well as Sri Umesh Chandra Kesarwani, who appears for the respondent no.4.

The writ petitioners as per the pleadings set forth in the writ petition claims to be appointed as an Accountant Part Time in the year 2015, 2016 and 2018 respectively in Vihan Balika Awasiya Vidyalaya, Meerut Nirman Shramik. They are aggrieved against the publication of the advertisement dated 2.12.2022 in so far as it relates to appointment of T.G.T. Teachers in Atal Awasiya Vidyalaya on contractual basis.

Learned counsel for the writ petitioners while inviting attention of the Court towards page 56 of the paper book submits that Atal Awasiya Vidyalaya as well as the Vidyalaya wherein the petitioners are to be merged in that regard.

Learned counsel for the respondents on the other hand submits that the writ petitioners have neither any locus nor cause of action to challenge the said advertisement particularly when the writ petitioners are Accountant and further nobody stops them for appearing in the selection exercise if they are eligible or qualified.

Since no legal enforcement right has been pointed out by the learned counsel for the writ petitioners and the ground so taken in the writ petition is wholly untenable thus, the Court is not in a position to accord any relief to the writ petitioners.

The writ petition is **consigned to record** leaving it open to the writ petitioners to apply against the said advertisement if in case they are eligible or qualified.

**Order Date :-** 14.12.2023/piyush