

Court No. - 35

Case :- WRIT - A No. - 19597 of 2023

Petitioner :- Dr. Veena Chauhan

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

Counsel for Petitioner :- Man Mohan Singh

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar,J.

1. Heard Sri Man Mohan Singh, learned counsel for the writ petitioner and Sri Ratan Deep Mishra, learned Standing Counsel who appears for respondents No. 1 to 3.

2. In view of the order which is being proposed to be passed today, notice is not being issued to the fourth respondent.

3. The writ petitioner claims to have been selected pursuant to facing a selection committee as Honorarium Lecturer in the fourth respondent-institution and he was accorded joining on 14.11.2000. Post insertion of Section 31E of the U.P. Act No. 16 of 1980 his services stood absorbed on 18.05.2017. Since the writ petitioner was accorded placement in Hindu College, Moradabad he preferred Writ A No. 26007 of 2017 (Devesh Tandon & Others Vs. State of U.P.) in which an interim order was accorded on 31.05.2017 and he continued in the fourth respondent-institution and the writ petition stood allowed on 21.02.2019 and on 07.03.2019 he was made admissible for pay scale of Rs. 15,600 – 39,100 Grade Pay 6,000.

4. The grievance of the writ petitioner is that he is entitled to the said benefit from 18.05.2017.

5. Sri Ratan Deep Mishra, learned Standing Counsel, on the other hand submits that the issues which the writ petitioners are raising needs determination at the end of the second respondent, Deputy Director of Education, Higher, U.P., Allahabad. According to learned Standing Counsel, he does not propose to file any response to the writ petition.

6. 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 granting liberty to the

writ petitioner to prefer a comprehensive representation along with self attested copy of the writ petition before the second respondent, Director of Education, Higher, U.P., Prayagraj who shall on the receipt of the same put to notice the fourth respondent and take its version and thereafter proceed to decide the entitlement of the writ petitioner within a period of two months from the date of production of certified copy of the order.

7. Needless to point out that passing of this order may not be construed to be an expression that this Court has adjudicated on the merits of the matter.

Order Date :- 28.11.2023

Rajesh