

Court No. - 35

Case :- WRIT - A No. - 19356 of 2023

Petitioner :- C/M Shri Bhawanand Sanskrit Mahavidyalaya

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Dadhi Bal Yadav

Counsel for Respondent :- C.S.C., Vineet Sankalp

Hon'ble Vikas Budhwar, J.

Heard Sri Dadhi Bal Yadav, learned counsel for the writ petitioner and Sri Manoj Vashistha, learned Standing Counsel, who appears for respondents 1, 2 and 3 and Sri Vineet Sankalp learned counsel who appears for the respondents no. 4 and 5.

The case of the writ petitioner is that owing to occurrence of the vacancy appointment to the retirement of Sri Om Prakash Rai on 30.6.2018, the writ petitioner preferred Writ-A No.2295 of 2022 which came to be disposed of on 11.7.2022 requiring the competent authority to take decision for making selection pursuant thereto on 9.2.2023 a communication has been issued by the District Inspector of Schools, Azamgarh according permission but when the writ petitioner approached the respondent University for nomination of the subject expert, no order whatsoever has been passed in this regard.

Prayer in the present petition is for a direction to the respondent-University to take appropriate follow up action.

Learned counsel for the respondents submit that issues with the writ petitioner seeks to raise needs determination at the first instance by the fifth respondent and according to him the writ petitioner may represent his cause before the fifth respondent.

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 prefer a comprehensive representation along with the self-attested copy of the writ petition before the fifth respondent who shall on the receipt of the same proceed to decide the claim of the petitioner strictly in accordance with law within a period of one month from the date of presentation of the certified copy of the order.

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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