

Court No. - 35

Case :- WRIT - A No. - 19388 of 2023

Petitioner :- Dr. Praveen Kumar

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

Counsel for Petitioner :- Adarsh Singh, Indra Raj Singh, Pramod Kumar Singh

Counsel for Respondent :- C.S.C., Gagan Mehta

Hon'ble Vikas Budhwar, J.

Heard Sri Indra Raj Singh, learned counsel for the writ petitioner, Sri Ajeet Kumar Singh learned Additional Chief Standing Counsel, who appears for respondents 1 and 2 and Sri Gagan Mehta, for the third respondent.

The case of the writ petitioner is that he applied in pursuance of the Advertisement No.49, advertising 290 vacancies for the post of Principals in Post Graduate Colleges. The writ petitioner claims that he is at serial no.365 in the list obtaining 105.21 marks. It is also the case of the writ petitioner that initially the parent list was published of 290 candidates and thereafter an additional list of 73 candidates were published, however list of 290 candidates, many candidates did not join and with respect to additional 73 list only 60 joined and 13 did not join. The writ petitioner claims that as per the Acts and Statutes the writ petitioner is entitled to be adjusted against the vacancy which are remain unfilled.

Learned Additional Chief Standing Counsel and Sri Gagan Mehta who appear for the respondents on the other hand submit that though in para 8 and 9 averments have been made but the said stand which the writ petitioner seeks to take needs determination at the first instance by the second respondent, Director of Higher Education U.P. at Prayagraj. They submit let the writ petitioner approach the second respondent.

Considering the submissions of the rival parties and in view of the nature of the relief claimed in the writ petition liberty is accorded to the writ petitioner to approach the second respondent, who shall thereafter taken appropriate decision strictly in accordance with law as per the statute in question within a period of three months 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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