

Court No. - 35

Case :- WRIT - A No. - 19401 of 2023

Petitioner :- Ram Karaan

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

Counsel for Petitioner :- Jai Singh Parihar

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar,J.

Heard Sri Jai Singh Parihar, learned counsel for the petitioner and Sri Shailendra Singh, learned Standing Counsel, who appears for Respondents 1 to 4.

In view of the order, which is being proposed to be passed today, notices are not being issued to the fifth and sixth respondent.

The case of the writ petitioner is that he was appointed as assistant teacher (Social Science) on 30.08.2003 by the Madhyamik Sewa Chayan Board and he was also assigned selection grade. Earlier a seniority list which was prepared which was not in conformity with the seniority position thereafter according to the writ petitioner, the seniority list was rectified and a communication has been made by the principal to the District Inspector of Schools, Jhansi containing the correct position of the seniority. Learned counsel for the writ petitioner submits that since there is no committee of management so according to him, the Joint Director of Education, Jhansi Mandal, Jhansi is to accord consideration to the claim of the writ petitioner.

Shri Shailendra Singh, learned Standing Counsel on the other hand submits that in case, there is no valid committee of management then obviously authorised controller might have been appointed,

however, in case as per the writ petitioner, the matter is pending before Joint Director of Education, Jhansi, third respondent then the writ petitioner may approach the authority.

Considering the submissions of the rival parties as well as stand taken by them, the writ petition is being disposed off 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 third respondent, who shall on the receipt of the same, after putting to notice the committee of management, in case it is existing or the authorised controller and all the affected parties and thereafter proceed to decide the claim of the petitioner strictly in accordance with law 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 off**.

Order Date :- 1.12.2023

A. Prajapati