

Court No. - 36

Case :- WRIT - A No. - 20045 of 2023

Petitioner :- Seema Parveen And 13 Others

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

Counsel for Petitioner :- Awadhesh Kumar Malviya, Manoj Kumar Singh

Counsel for Respondent :- C.S.C., Archana Singh, Chandra Shekhar Singh

Hon'ble Manjive Shukla, J.

1. Heard learned counsel appearing for the petitioners, learned Standing Counsel appearing for the Respondent No. 1 and Smt. Archana Singh, learned counsel appearing for the Respondents No. 2 & 3.

2. Learned counsel appearing for the petitioners has submitted that petitioners were working on the posts of Assistant Teacher in Junior High Schools in District Ghaziabad but in the year 2011 another district was carved out by taking certain area of District Ghaziabad and therefore petitioners were required to give option as to whether they want to remain posted in the newly created district or they want to go to District Ghaziabad. Petitioners submitted their option for joining in District Ghaziabad but while allowing the petitioners to join in District Ghaziabad, they were in fact reverted and were allowed to join on the posts of Assistant Teachers in Primary Schools.

3. Learned counsel appearing for the petitioners has invited attention of this court that petitioners earlier approached this court by filing Writ-A No. 14461 of 2021 which was dismissed as not pressed vide order dated 08.11.2021 with liberty to petitioners to avail other remedies available in law. Petitioners after passing of the aforesaid order have filed representation on 24.07.2023 before the District Basic Education Officer, Ghaziabad, wherein they have raised their grievance.

4. Learned counsel appearing for the petitioners has argued that representation of the petitioners is pending before the District Basic Education Officer, Ghaziabad and has not been decided till date.

5. On the other hand, Smt. Archana Singh, learned counsel appearing for the Respondents No. 2 & 3 has very fairly submitted that ends of justice would be served if a direction is

issued by this court to decide the representation of the petitioners within a fixed time frame.

6. In view of the aforesaid submissions advanced by the learned counsels appearing for the parties, without entering into merits of the case, with the consent of counsels appearing for the parties, this writ petition is disposed of with liberty to the petitioners to file a fresh representation before the District Basic Education Officer, Ghaziabad within three weeks from today and if such representation is filed, Respondent No. 3 is directed to consider and decide the said representation within a period of three months thereafter.

Order Date :- 4.12.2023

Salim