

Court No. - 35

Case :- WRIT - A No. - 20061 of 2023

Petitioner :- Achyuta Nand Pandey

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

Counsel for Petitioner :- Rajesh Kumar Dubey

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar,J.

1. Heard Sri Rajesh Kumar Dubey, learned counsel for the writ petitioner and Sri Mohit Kumar, State Law Officer for respondents No. 1 to 3.

2. The case of the writ petitioner is that earlier he was serving in the Department of Army Education Corps of Central Government since 03.12.1985 and after completion of 28 years & 29 days of service he retired on 31.12.2013 pursuant thereto he applied for appointment on the post of teacher pursuant to the advertisement published for Lecturer subject "Hindi" and he claims to have been appointed in the institution being Ram Manohar Lohiya Smarak Inter College, Garhmukteshwar, District Hapur, he claims to have been awarded several certificates by the President of India on 05.09.2003. He seeks to rely upon the Government Order dated 30.12.2014 and 24.06.2015 for the purposes of further continuance till attainment of 30 years.

3. Sri Mohit Kumar, State Law Officer submits that the issue as to whether the writ petitioner is entitled to the said benefits needs determination by the second respondent, District Inspector of Schools, Hapur, the writ petitioner may represent his cause before the second respondent. He further submits that he does not propose to file any response to the writ petition.

4. 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 before the second respondent, District Inspector of Schools, Hapur who shall

on the receipt of the motion at the end of the writ petitioner put to notice the institution where at the writ petitioner claims to have been working though he has not been impleaded as party respondent and thereafter proceed to decide the claim of the writ petitioner within a period of three months from the date of production of certified copy of the order strictly in accordance with the Government Orders as applicable and in vogue.

5. Needless to point out that this Court has not adjudicated on the merits of the matter.

Order Date :- 4.12.2023

Rajesh