

Court No. - 35

Case :- WRIT - A No. - 20522 of 2023

Petitioner :- Sacchan And Another

Respondent :- State of U.P. and Another

Counsel for Petitioner :- Suhail Ahmad Ansari, Amit Kumar Upadhyay

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar, J.

Heard Sri Suhail Ahmad, learned counsel for the petitioners and Sri H.K. Shukla, the learned Standing Counsel, who appears for Respondents 1.

In view of the order, which is being proposed to be passed today, notices are not being issued to the 2nd respondent.

The case of the writ petitioners is that they have been appointed on daily-wage basis in Group-D post on 01.04.2003 and 01.03.2003. Learned counsel for the writ petitioner submits that in the light of the communication dated 05.03.2021 of the Registrar of the second respondent, University, the matter with respect to both the writ petitioners and one another was recommended and a communication was sent to the Deputy Secretary, U.P. Shashan, Technical Education, Anubhag-1, Sachivalaya recommending the case of the regularization. It is also the case of the writ petitioner that the matter is still pending.

Prayer in the present petition is for a direction to consider the claim of the writ petitioner for regularization.

Sri Shukla, learned Standing Counsel submits that the issue as to whether the writ petitioners are to be considered for regularization depends upon the various factors inclusive of the Government Order and Statutory Schemes providing for the same total number of sanctioned strength, eligibility and suitability and other factors, he submits that let the writ petitioners approach the second respondent, Registrar, Madan Mohan Malaviya University of Technology, Gorakhpur, who shall take appropriate follow up action in this regard. He further submits that he does not propose to file any response to the writ petition.

To such a submission, learned counsel for the writ petitioners has no objection and he gracefully accepts the same.

Considering the submission of the rival parties as well as the 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 approach the second respondent, Registrar, Madan Mohan Malaviya University of Technology, Gorakhpur along with a comprehensive representation accompanied with self-attested copy of the writ petition, who shall, on the receipt of the same, thereafter proceed to forward the papers to the first respondent and the said competent authority shall take a conscious decision within a period of three months from the date of production of certified copy of the order.

With the aforesaid observations the writ petition stands **disposed off**.

Order Date :- 11.12.2023

N.S.Rathour