

Court No. - 35

Case :- WRIT - A No. - 20439 of 2023

Petitioner :- Dr Praveen Kumar Singh

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

Counsel for Petitioner :- Sandeep Kumar

Counsel for Respondent :- C.S.C,Vivek Kumar Rai

Hon'ble Vikas Budhwar,J.

1. Today when the matter was taken up, Sri Vivek Kumar Rai, who has accepted notice on behalf of Respondents No. 2 and 3 University, has made a statement at bar that due to some miscommunication he accepted notice on behalf of 2nd and 3rd respondent, however, according to him Sri Udai Pratap Singh appears for the Respondents No. 2 and 3. Incidentally, Sri Udai Pratap Singh is present before the Court and he has made a statement that he appears for Respondents No. 2 and 3 University and he armed with the necessary instructions in that regard.

2. Heard Sri Sandeep Kumar, learned counsel for the writ petitioner, Sri Ratan Deep Mishra, learned Standing who appears for the first respondent, Sri Udai Pratap Singh who has put in appearance on behalf of Respondents No. 2 and 3.

3. The case of the writ petitioner is that an advertisement was published by the Respondent University on 20th December, 2022 bearing No. 1 of 2022 for filling up various posts including the post of Live Stock Production Management which has been earmarked under unreserved category.

4. The learned counsel for the writ petitioner submits that the petitioner is fully eligible and qualified in all respects while drawing attention of this Court to Annexure-1 at page-13, he seeks to submit that in a tabulation chart relatable to AP Score of the candidates for the post of Associate Professor his name finds place under the heading Life Stock Production Management (UR), Serial No. 24 and just in front of the same remarks have been sought to be made which reads as under:

" Degrees (UG, PG, Phd) not in concerned subject".

5. Learned counsel for the petitioner next invites attention of the

Court to its para 15 so as to further contend that in the said communication of the incharge recruitment of the Respondent University, 3rd respondent dated 28.4.2023 the following note has been provided:

" If the candidate has any issue/objections on above, please inform till 5th May, 2023 (11.59 p.m.) through email duvasurecruitment@gmail.com along with supporting evidence.

6. Learned counsel for the writ petitioner submits that he has already raised his objection before the officer incharge, recruitment cell DUBASU Mathura upto 2.5.2023 (annexure-3 at page 22) reference whereof has been made in paragraph 8 of the writ petition. He submits that on one hand the objection of the writ petition remains undecided, however, on the other hand now the University is proceeding with the selection.

7. Sri Udai Pratap Singh, who appears for the Respondent University submits that since it is the case of the University, then he tendered his objection on 2.5.2023 before the competent authority, thus, the third respondent, Incharge Recruitment Cell, Uttar Pradesh, Pandit Deen Dayal Upadhyay Pashu Chikitsa Vigyan, Vishwavidhyalaya Exam Go Anushandhan Sansthan, Mathura, U.P. shall address the claim and decide the same most expedition.

8. Considering the rival submissions of the rival parties, writ petition stands disposed of requiring 3rd respondent, In-charge Recruitment Cell, Uttar Pradesh Pandit Deen Dayal Upadhyay Pashu Chikitsa Vigyan Vishwavidhyalaya Exam Go Anushandhan Sansthan, Mthura, U.P. to decide the objection of the writ petitioner within a period of two weeks from today i.e. 21.12.2023.

9. With the said observation the writ petition stands **disposed of**.

10. Since this order has been passed in the presence of Sri Udai Pratap Singh, he shall inform the authority in that regard.

Order Date :- 8.12.2023

Kumar Manish.