

Court No. - 35

Case :- WRIT - A No. - 20356 of 2023

Petitioner :- Sanjay Kumar Tiwari @ Sanjay Kumar Tripathi And Another

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Shashi Bhushan Mishra

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar,J.

1. Heard Sri Shashi Bhushan Mishra, learned counsel for the writ petitioner who are two in number as well as Sri Dhirendra Singh, learned Standing Counsel who appears for respondents No. 1 to 4.
2. In view of the order which is being proposed to be passed today, notice is not being issued to the fifth respondent.
3. The writ petitioners claim to be appointed on 05.12.2008 by the Principal, Sri Parashuram Inter College Pakwainar, District Ballia when the approval was not being accorded to his appointment, he preferred the writ petition No. 11954 of 2008 pursuant where to approval has been accorded to the writ petitioners on 04.12.2008.
4. Grievance of the writ petitioners is that despite the fact that approval has been accorded but he has not been paid salary.
5. Sri Shailendra Singh, learned Standing Counsel who appears for the respondents submits that the issues which the writ petitioners seek to raise needs determination at the first instance by the third respondent, thus, the writ petitioners may represent his cause before the third respondent. He further submits that he does not propose to file any response to the writ petition.
6. Considering the submission of the rival parties as well as the stand taken by them, the writ petition is being disposed of granting liberty to the writ petitioners to approach the third respondent, District Inspector of Schools, Ballia by filing a comprehensive representation along with self attested copy of the writ petition and on the receipt of the same the third respondent shall put to notice the fifth respondent and decide the claim of the writ petitioners

bearing in mind the existence of the approval order dated 04.12.2008 which is stated to have been passed in favour of the writ petitioner within a period of six weeks from the date of production of certified copy of the order.

Order Date :- 8.12.2023

Rajesh