

Court No. - 39

Case :- WRIT - C No. - 42341 of 2023

Petitioner :- Ansar Khan

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Shamshuddin Khan (S U Khan)

Counsel for Respondent :- CSC, Mohammad Ali Ausaf

Hon'ble Saumitra Dayal Singh, J.

Hon'ble Shiv Shanker Prasad, J.

1. Nobody is present on behalf of the petitioner to press the present writ petition even in the revised reading of the the list. Learned Standing Counsel for the State-respondents and Mr. H.P. Sahi, Advocate holding brief of Mohd. Ali Ausaf, learned counsel for respondent no.6 are present.

2. Present writ petition has been filed primarily for the following relief:

"1. Issue a writ order or direction in the nature of Mandamus directing respondent authorities to terminate the illegal appointments of the five assistant teachers in Madarsa Cosmopolitan College, Bhattagaon, District Jahnsi.

..."

3. As to his credential, in paragraph-4 of the writ petition, it has been stated, as below:

"4. That the petitioner is a peace loving citizen of India, he has no concern with the illegal activities of the society, after seeing the situation of the aforesaid Madarsa he moved an application before the District Magistrate as well as District Minority Welfare and its Managing Committee of the said Madarsa for restrain the practice of illegal appointment in the said institution."

4. Clearly, the petitioner has attempted to file the present writ petition by way of a public interest litigation, as he is not a person aggrieved. No individual rights that may be claimed by the petitioner are involved in the present writ petition. Second, neither the present writ petition has been described, as public interest litigation nor such litigation may ever arise in service juris prudence.

5. The present writ petition is **dismissed** , as may conceive.

(Shiv Shanker Prasad, J.)

(Saumitra Dayal Singh, J.)

Order Date :- 15.12.2023

Sushil/-