

Court No. - 35

Case :- WRIT - A No. - 20531 of 2023

Petitioner :- Ram Daras Ram

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

Counsel for Petitioner :- Gopal Ji Rai

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar,J.

Heard Sri Gopal Ji Rai, learned counsel for the petitioner and Ms. Akanksha Mishra, the learned State Law Officer, who appears for Respondents 1 to 4.

In view of the order, which is being proposed to be passed today, notices are not being issued to the 5th respondent.

The case of the writ petitioner is that by virtue of an order dated 08.09.1992, the writ petitioner was accorded placement in view of the provisions contained under Section 21-B(3) of the U.P. Secondary Education Services Selection Board Act, 1982 in the fifth respondent Institution. However, despite the fact that an ad hoc appointment was already made and he was accorded joining, but the same was not done, so the writ petitioner preferred Writ Petition No.38546 of 1999 wherein an order is stated to have been passed on 09.09.1999 permitting the writ petitioner to join as an Assistant Teacher in the said Institution and thereafter the writ petitioner is accorded joining on 01.09.2000. He seeks regularization of his services in light of the provisions contained under Section 33-C (2)(i) of the 1982 Act.

Ms. Akanksha Mishra, learned State Law Officer submits that the issue which the writ petitioner seeks to raise needs determination at the first instance by the second respondent, thus the writ petitioner may represent his cause before the second respondent, Regional Selection Committee through its Chairman Joint Director of Education Azamgarh Region, Azamgarh. She further submits that she does not propose to file any response to the writ petition.

To such a submission, learned counsel for the writ petitioner 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, Regional Selection Committee through its Chairman Joint Director of Education Azamgarh Region, Azamgarh 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 consider the claim of the writ petitioner within a period of three months from the date of production of certified copy of the order after putting to notice the 5th respondent.

Needless to point out that the writ petitioner has been decided without seeking any response from the respondents, thus passing of this order may not be construed to an expression that this Court has adjudicated the matter on merits.

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

Order Date :- 11.12.2023
N.S.Rathour