

Court No. - 35

Case :- WRIT - A No. - 20526 of 2023

Petitioner :- Vijay Pratap Singh

Respondent :- State Of U.P. And 6 Others

Counsel for Petitioner :- Anil Kumar Singh

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar,J.

Heard Sri Anil Kumar Singh, learned counsel for the petitioner and Ms. Akanksha Mishra, the learned State Law Officer, who appears for Respondents 1 to 5.

In view of the order, which is being proposed to be passed today, notices are not being issued to the 6th and 7th respondents.

On the oral request of the learned counsel for the writ petitioner, he is permitted to implead the Regional Level Selection Committee through Joint Director of Education, Varanasi Region, Varanasi.

The case of the writ petitioner is that owing to a vacancy arisen on the post of CT Grade Teacher due to retirement of Sri Shiv Bhushan Pandey the writ petitioner claims to have been appointed as CT Grade Teacher on 15.09.1984 in the Institution, Sri Mathura Singh Inter College, Koilari Dobhi, Tehsil Kerakat, District Jaunpur, sixth respondent. It is also the case of the writ petitioner that on 03.08.2005, the District Inspector of Schools, Jaunpur proceeded to issue a communication addressed to the Principal of the Manager of the Institution in question indicating that the writ petitioner's status stood transformed from CT Grade to LT Grade. The writ petitioner and the Institution in question approached the competent authority for the purposes of consideration of the claim of the regularization, to which on 11.09.2023, a communication is stated to have been issued under the signature of fifth respondent, District Inspector of Schools, Jaunpur to the Manager of the Institution in question requiring submission and the inputs in that regard.

Prayer in the present petition is for for a direction to the competent authority to take decision on the claim of the regularization of the writ petitioner.

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 competent authority and the since the matter relates to regularization, a committee has been constituted, thus the writ petitioner may represent his cause before the third respondent, Joint Director of Education Varanasi Division, Varanasi, who shall as the case may be and the circumstances so warrant, transmit the entire papers to the committee so constituted therein, Respondent no.8. She also 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 third respondent, Joint Director of Education Varanasi Division, Varanasi 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 take the follow up action within a period of three months from the date of production of certified copy of the order after putting to notice the writ petitioner and the sixth and the seventh 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