

Court No. - 35

Case :- WRIT - A No. - 20495 of 2023

Petitioner :- Committee Of Management Of Ratan Sen Degree College And Another

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

Counsel for Petitioner :- Uday Pratap Singh, Kundan Rai

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar, J.

Heard Sri Uday Pratap Singh, learned counsel for the petitioner and Sri H.K. Shukla, the learned Standing Counsel, who appears for Respondents 1, 2 and 3.

Principally, the relief sought in the present writ petition is for filling up the Class-III and Class-IV posts, which according to the writ petitioner are lying vacant, detailed description whereof has been given in paragraph-5 of the writ petition.

Sri H.K. Shukla, learned Standing Counsel submits that the issue which the writ petitioner seeks to raise needs determination at the first instance by the third respondent, Regional Higher Education Officer, Gorakhpur, thus the writ petitioner may represent his cause before the third respondent. He further submits that he 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, Regional Higher Education Officer, Gorakhpur 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 two months from the date of production of certified copy of the order bearing in mind the total sanctioned strength in Class-III and Class-IV cadre, number of vacancies lying vacant as well as the Government Order and the statutory scheme.

Needless to point out that this Court has not entered the merits of the matter.

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

Order Date :- 11.12.2023

N.S.Rathour