

Court No. - 35

Case :- WRIT - A No. - 20580 of 2023

Petitioner :- Ram Kishor Tripathi And 3 Others

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

Counsel for Petitioner :- Jagat Narayan Mishra

Counsel for Respondent :- C.S.C

Hon'ble Vikas Budhwar,J.

1. Heard Sri Jagat Narayan Mishra, learned counsel for the writ petitioner and Sri Ratan Deep Mishra, learned Standing Counsel who appears for respondents No. 1 to 3.

2. In view of the order which is being proposed to be passed today, notices are not being issued to fourth and fifth respondents.

3. The case of the writ petitioner is that pursuant to the Government Order dated 24.07.2021 and 18.08.2021 they were appointed on contractual/honorarium basis and in this regard, learned counsel for the writ petitioner relies upon Annexure 3 at page 23 of the paper book reference whereof has been given in paragraph No. 13 on 15.11.2021. According to the writ petitioner, despite the fact that they have been engaged on honorarium basis they have not been accorded joining.

4. Sri Ratan Deep Mishra, learned Standing Counsel, on the other hand, submits that the issue which the writ petitioner seeks to raise needs determination at the first instance by the third respondent, District Inspector of Schools, Kanpur Dehat, he submits that the writ petitioner may represent his cause before the third respondent who shall take appropriate decision in that regard. He does not propose to file any response to the writ petition.

5. 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 petitioner to approach the third respondent, District Inspector of Schools, Kanpur Dehat 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 decide the entitlement of the writ petitioner strictly in accordance with law after putting to notice the fourth and fifth respondents within a period of one months from the date of production of certified copy of the order.

6. With the aforesaid observations, the writ petition stands disposed of.

Order Date :- 13.12.2023/Rajesh