

Chief Justice's Court

Case :- SPECIAL APPEAL No. - 207 of 2023

Appellant :- Kartikey Upadhyay Thru. Father Surya Narayan Upadhyay

Respondent :- State Of U.P. Thru. Prin. Secy. Secondary Education Sectr. U.P. And Others

Counsel for Appellant :- In Person

Counsel for Respondent :- C.S.C.

Hon'ble Pritinker Diwaker, Chief Justice

Hon'ble Rajan Roy, J.

Heard.

This is an appeal challenging the judgment of learned Single Judge dated 21.03.2023 rendered in Writ C No. 1192 of 2023 by which the petition of the appellant was dismissed as not maintainable, the respondent being a private school.

Father of the appellant Mr. Surya Narayan Upadhyay appears in person. He has argued the matter. He says that he has got his ward admitted to another School at Lucknow. He also says that considering the circumstances he is no more interested in getting his ward admitted to the School concerned. However, he says that for harassment and torture he wants damages.

We have perused the report of the District Inspectors of Schools which has been submitted in pursuance to our earlier orders.

Considering the circumstances noticed hereinabove, we see no reason to grant indulgence in this appeal any further. We leave it open for the appellant, if there is a cause and locus, to seek damages before a competent Court of Civil Jurisdiction.

The special appeal is ***disposed of***.

The report of the District Inspectors of School be kept back in the sealed cover.

[Rajan Roy, J.] [Pritinker Diwaker, C.J.]

Order Date :- 16.8.2023

Santosh/-