

Court No. - 7

Case :- WRIT - A No. - 7907 of 2023

Petitioner :- Rajesh Kumar Dwivedi

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Secondary Education U.P. Lko. And 7 Others

Counsel for Petitioner :- Nagendra Bahadur Singh

Counsel for Respondent :- C.S.C., Uday Veer Singh

Hon'ble Abdul Moin, J.

1. Heard learned counsel for the petitioner, Dr. Udai Veer Singh, learned State Counsel appearing for respondents no.1 to 5, and Sri Arun Kumar Pandey, learned counsel, who files Vakalatnama on behalf of respondent no.8, which is taken on record.
2. No notice be issued to respondents no.6 and 7 taking into consideration the nature of order proposed to be passed.
3. The petitioner being aggrieved with the dismissal order dated 11.05.2023 is before this Court.
4. Admittedly, the petitioner has a remedy of filing of an appeal before the District Inspector of Schools, Gonda, which fact is admitted by Dr. Udai Veer Singh, learned counsel for the respondents.
5. However, learned counsel for the petitioner contends that the time limit for filing of the appeal is two months which period has lapsed and prays that the appellate authority may be directed to entertain and decide the appeal on merits in case it is filed.
6. To the said prayer, learned counsels for the respondents have no objection.
7. Keeping in view the aforesaid, the writ petition is **disposed of** leaving it open to the petitioner to prefer an appeal before the appellate authority i.e. the District Inspector of Schools, Gonda, within two weeks from today. In case, such an appeal is filed, the appellate authority shall proceed to consider and decide the same on merits in accordance with rules within a period of six weeks from the date of receipt of the said appeal along with certified copy of this order.

Order Date :- 12.10.2023

A. Katiyar