

Court No. - 7

Case :- WRIT - C No. - 9395 of 2023

Petitioner :- Pushpendra Tyagi

Respondent :- State Of U.P. Thru. Addl. Chief Secy., Technical Education, Lucknow And Others

Counsel for Petitioner :- Pravin Kumar Singh

Counsel for Respondent :- C.S.C., Atul Kumar Dwivedi

Hon'ble Abdul Moin, J.

1. Heard learned counsel for the petitioner, learned Standing Counsel appearing for the respondent no.1 and Sri Atul Kumar Dwivedi, learned counsel for respondents no.2 and 3.
2. No notice be issued to respondent no.4 taking into consideration the nature of order proposed to be passed.
3. With the consent of learned counsel for the parties, the writ petition is being finally decided.
4. The contention of learned counsel for the petitioner is that the petitioner completed his B.Tech course in the year 2006 from respondent no.4-Institute. On 19.08.2016, a circular has been issued for grant of grace marks which would also be applicable to those who have passed out earlier.
5. The contention of learned counsel for the petitioner is that the petitioner would be entitled for grace marks in two subjects and prays that the benefit of the circular dated 19.08.2016 be also extended to the petitioner.
6. Learned counsel for the petitioner after arguing at some length submits that with regard to the relief sought in the writ petition, the petitioner may be permitted to submit a fresh representation before respondent no.2 which may be directed to be decided within a time frame fixed by this Court to which learned counsels for the respondents have no objection.
7. In view of the above, it is provided that in case the petitioner submits a representation within two weeks from today before respondent no.2 then respondent no.2 shall endeavour to decide the same by means of a reasoned and speaking order within a further period of four weeks from the date of submission of the representation along with certified copy of this order.

8. With the aforesaid direction, writ petition is disposed off.

9. It is made clear that this Court has not gone into the merits of the case.

Order Date :- 27.10.2023

A. Katiyar