

Court No. - 7

Case :- WRIT - C No. - 9889 of 2023

Petitioner :- C/M Sabir Memorial Junior High School, Barabanki Thru. Manager Fuzail Jamal And Another

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Basic Education, Lko. And 3 Others

Counsel for Petitioner :- Arvind Kumar, Kalika Prasad Pandey

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

Hon'ble Abdul Moin, J.

1. Heard learned counsel for the petitioners, learned Standing Counsel for respondents no.1 and 2, and Dr. Uday Veer Singh, learned counsel for respondents no.3 and 4.

2. With the consent of learned counsel for the parties, the writ petition is being decided finally.

3. The contention of learned counsel for the petitioners is that the permission sought by the institution from Basic Shiksha Adhikari, Barabanki for filling in four posts of Assistant Teachers has been rejected by means of order impugned dated 18.10.2023, a copy of which is Annexure-1 to the writ petition, on the ground that U.P. Education Service Selection Commission, 2023 has been formed and that the appointments are now to be made in accordance with the Commission.

4. Dr. Uday Veer Singh, learned counsel for respondents no.3 and 4, fairly states that the Commission, 2023 has still not been constituted and thus an error has been committed by respondent no.3 while passing the order impugned dated 18.10.2023.

5. Keeping in view the aforesaid fair submission made by Dr. Uday Veer Singh, learned counsel for respondents no.3 and 4, the order dated 18.10.2023, a copy of which is Annexure-1 to the writ petition, is quashed. The matter is remitted to respondent no.3 to pass a fresh order in accordance with law within a period of four weeks from the date of receipt of a certified copy of this order.

6. The writ petition is disposed of.

Order Date :- 8.11.2023

A. Katiyar