

Court No. - 8

Case :- WRIT - A No. - 9279 of 2023

Petitioner :- Committee Of Management Janta Balika Junior High School Thru. Sri Dayaram Maurya

Respondent :- State Of U.P. Thru. Addl Chief Secy. Basic Education Lko. And 2 Others

Counsel for Petitioner :- Krishna Madhav Shukla

Counsel for Respondent :- C.S.C.

Hon'ble Pankaj Bhatia,J.

1. Heard Sri Krishna Madhav Shukla, learned counsel for the petitioner and learned Standing Counsel for respondent nos.1, 2 and 3.

2. By means of present writ petition the petitioner as sought direction to respondent no.3 to grant permission to the petitioner to initiate recruitment to the post of clerk and "Clerk" (Class III) as per Rules, 1984.

3. It is submitted by learned counsel for the petitioner that in this regard the State Government issued Government Order dated 15.01.2019, whereby they have declared Class III and Class IV cadre as dying cadre. It is next submitted that the said Government Order was subjected to challenge before this Court in Writ - A No. 5418 of 2019, which writ petition was allowed and the said Government Order was quashed.

4. It is next submitted by counsel for the petitioner that there is no legal impediment in granting permission for initiating recruitment, but despite this the respondents have not passed orders on the application of the petitioner.

5. It is lastly submitted by counsel for the petitioner that grievance raised by the petitioner shall be substantially redressed in case respondent no.3 is directed to consider the application of the petitioner dated 25.10.2023, and pass necessary orders thereupon.

6. Learned counsel for the respondents have no objection to the above prayer.

7. Accordingly, present writ petition is ***disposed off*** with direction to respondent no. 3 to consider and pass necessary orders in accordance with law on the application of the petitioner dated 25.01.2023, expeditiously, say within a period of six weeks from the date of production of certified copy of this order.

Order Date :- 5.12.2023

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