

Court No. - 7

Case :- WRIT - C No. - 11390 of 2023

Petitioner :- Km. Anjoo And Others

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

Counsel for Petitioner :- Mohd. Zafar Khan

Counsel for Respondent :- C.S.C.,Om Prakash Mani Tripathi

Hon'ble Abdul Moin,J.

1. Heard learned counsel for the petitioner, learned Standing Counsel for respondents no. 1 to 3 and Shri Om Prakash Mani Tripathi, learned counsel for the respondent no. 4.

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

3. Instant petition has been filed by the petitioners who have all failed thrice in one subject each in the D.El.Ed./B.T.C. Course. They are claiming the benefit of an earlier order which has been passed by the State Government whereby another chance has been given to all the failed candidates who have failed thrice in one subject each. He prays that although the order was issued as a one time measure yet the benefit of the said order be also extended to the petitioners.

4. After arguing the matter at some length, learned counsel for the petitioner submits that with regard to the reliefs sought in the writ petition, the petitioner may be permitted to submit a fresh representation before the respondent no.3 i.e. Secretary, Examination Regulatory Authority, U.P. at Prayagraj 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.

5. In view of the above, it is provided that in case the petitioner submits a representation within three days from today before respondent no.3 then respondent no.3 shall endeavour to decide the same by means of a reasoned and speaking order in accordance with law and the relevant rules within a further period of ten days from the date of submission of the representation along with certified copy of this order.

6. With the aforesaid direction, writ petition is **disposed of**.

7. It is made clear that this Court has not gone into the merits of the claim set forth by the petitioner.

8. After the aforesaid order has been dictated, learned counsel for the

petitioners contends that there is a likelihood of the examination being scheduled in the last week of December, 2023.

9. Considering the aforesaid urgency expressed by learned counsel for the petitioners, it is provided that an endeavor would be made by the respondent no. 3 to decide the grievance of the petitioners preferably prior to commencement of the examination.

Order Date :- 22.12.2023

Mohit Singh/-