Court No. - 7

Case :- WRIT - A No. - 9869 of 2023
Petitioner :- Brijesh Kumar
Respondent :- State Of U.P. Thru. Secy. Basic Edu Lko And 2 Others
Counsel for Petitioner :- Manoj Sahu,Sonal Pandey
Counsel for Respondent :- C.S.C.,Shailendra Singh Rajawat

Hon'ble Abdul Moin,J.

1. At the outset, learned counsel for the petitioner prays for and is permitted to implead "U.P. Basic Education Board, Prayagraj through its Secretary" as respondent no. 4 during the course of the day.

2. Heard Ms. Sonal Pandey, learned counsel for the petitioner, learned Additional Chief Standing Counsel appearing for the respondents no. 1 and 2, Shri Saurabh Singh, Advocate holding brief of Shailendra Singh Rajawat, learned counsel appearing for the respondent no.3 and Shri Ran Vijay Singh, learned counsel appearing for the respondent no. 4.

3. With the consent of learned counsel appearing for the contesting parties, the instant writ petition is being finally decided at the admission stage.

4. Instant petition has been filed praying for mandamus to permit the petitioner to participate in counseling as per the orders passed by the Division Bench of this Court in a bunch of petitions leading being **Special Appeal No. 613 of 2018 in re: Mohit Kumar Dwivedi Vs. Ram Janak Maurya and Others** decided on **31.10.2023**, a copy of which is Annexure No. 6 to the petition.

5. By the aforesaid order, the Division Bench of this Court had disposed of all the special appeals with a direction to the authorities concerned to take a decision to fill-up all the posts inclusive of residual 6,470 by preparing a common merit list of all the eligible Assistant Teachers as per NCTE Notifications read with Notification/Circular dated 26.12.2016 in the respective districts, within a period of three months.

6. The instant petition has been filed apprehending that despite the aforesaid order the petitioner may not be called in the counseling which has been scheduled.

7. Shri Ran Vijay Singh, learned counsel appearing for the respondent no. 4 states on the basis of instructions given by the respondent no. 4 that all the candidates who come in merit would be called for the counseling which is to be scheduled in pursuance to the order passed by the Division Bench of this Court in the case of **Mohit Kumar Dwivedi (supra)** and prior to it a tentative list would also be issued and uploaded on official website of the respondent no. 4 which would be done on 27.12.2023.

8. The aforesaid statement of Shri Ran Vijay Singh, learned counsel appearing for the respondent no. 4 is recorded.

9. The writ petition is **disposed of.**

Order Date :- 21.12.2023
Mohit Singh/-

Digitally signed by :-
MOHIT SINGH
High Court of Judicature at Allahabad,
Lucknow Bench