AFR

Neutral Citation:-2024:AHC:159359

Court No. - 9

1. **Case :-** WRIT - A No. - 21492 of 2023
   Petitioner :- Vinod Kumar Srivastava
   Respondent :- State Of U.P. And 3 Others
   Counsel for Petitioner :- Avdhesh Narayan Tiwari,Shivendu Ojha,Sr. Advocate
   Counsel for Respondent :- C.S.C.

Connected With

2. **Case :-** WRIT - A No. - 5731 of 2024
   Petitioner :- Vinod Kumar Srivastava
   Respondent :- State Of Up And 3 Others
   Counsel for Petitioner :- Avdhesh Narayan Tiwari,Shivendu Ojha,Sr. Advocate
   Counsel for Respondent :- C.S.C.

3. **Case :-** WRIT - A No. - 2365 of 2024
   Petitioner :- Arvind Singh Sengar
   Respondent :- State Of Up And 5 Others
   Counsel for Petitioner :- Raj Mohan Saggi
   Counsel for Respondent :- C.S.C.

4. **Case :-** WRIT - A No. - 3598 of 2024
   Petitioner :- Shambhu Sharan Srivastava
   Respondent :- State Of Up And 5 Others
   Counsel for Petitioner :- Siddharth Khare,Sr. Advocate
   Counsel for Respondent :- C.S.C.

5. **Case :-** WRIT - A No. - 3734 of 2024
   Petitioner :- Sushil Kumar Mishra
   Respondent :- State Of Up And 5 Others
   Counsel for Petitioner :- Lokesh Kumar Dwivedi
   Counsel for Respondent :- C.S.C.

6. **Case :-** WRIT - A No. - 3757 of 2024
   Petitioner :- Narendra Kumar
   Respondent :- State Of Up And 5 Others
   Counsel for Petitioner :- Siddharth Khare,Sr. Advocate
   Counsel for Respondent :- C.S.C.

7. **Case :-** WRIT - A No. - 3841 of 2024
   Petitioner :- Satyendra Singh Verma
   Respondent :- State Of Up And 3 Others
   Counsel for Petitioner :- Adarsh Singh,Indra Raj Singh
   Counsel for Respondent :- C.S.C.

8. **Case :-** WRIT - A No. - 3802 of 2024
   Petitioner :- Subhash Chandra Tripathi
   Respondent :- State Of Up And 4 Others
   Counsel for Petitioner :- Ramesh Chandra Dwivedi
   Counsel for Respondent :- C.S.C.

9. **Case :-** WRIT - A No. - 3803 of 2024
   Petitioner :- Umesh Singh
   Respondent :- State Of Up And 4 Others
   Counsel for Petitioner :- Ramesh Chandra Dwivedi
   Counsel for Respondent :- C.S.C.

10. **Case :-** WRIT - A No. - 3868 of 2024
    Petitioner :- Murali Pal
    Respondent :- State Of Up And 3 Others
    Counsel for Petitioner :- Shivendu Ojha,Sneh Pandey,Sr. Advocate
    Counsel for Respondent :- C.S.C.

11. **Case :-** WRIT - A No. - 4049 of 2024
    Petitioner :- Gyan Prakash Shukla
    Respondent :- State Of Up And 4 Others
    Counsel for Petitioner :- Siddharth Khare
    Counsel for Respondent :- C.S.C.

12. **Case :-** WRIT - A No. - 4056 of 2024
    Petitioner :- Chandra Shekhar Tiwari
    Respondent :- State Of Up And 4 Others
    Counsel for Petitioner :- Rajendra Rai
    Counsel for Respondent :- C.S.C.

13. **Case :-** WRIT - A No. - 4078 of 2024
    Petitioner :- Balgovind Mishra
    Respondent :- State Of U.P. Through Its Principal Secretary (Secondary Education) And 6 Others
    Counsel for Petitioner :- Abhishek Shekhar Ojha,Anurag Kumar Ojha,Parmatma Nand Ojha
    Counsel for Respondent :- C.S.C.

14. **Case :-** WRIT - A No. - 4080 of 2024
    Petitioner :- Daya Shankar Giri
    Respondent :- State Of Up And 4 Others
    Counsel for Petitioner :- Siddharth Khare,Sr. Advocate
    Counsel for Respondent :- C.S.C.

15. **Case :-** WRIT - A No. - 4110 of 2024
    Petitioner :- Rajendra Prasad Singh
    Respondent :- State Of Up And 4 Others
    Counsel for Petitioner :- Siddharth Khare
    Counsel for Respondent :- C.S.C.

16. **Case :-** WRIT - A No. - 4114 of 2024
    Petitioner :- Kewal Kumar Singh And Another
    Respondent :- State Of Up And 5 Others
    Counsel for Petitioner :- Siddharth Khare
    Counsel for Respondent :- C.S.C.

17. **Case :-** WRIT - A No. - 4116 of 2024
    Petitioner :- Satyendera Nath Singh
    Respondent :- State Of Up And 4 Others
    Counsel for Petitioner :- Sunil Kumar Singh,Sr. Advocate
    Counsel for Respondent :- C.S.C.

18. **Case :-** WRIT - A No. - 4118 of 2024
    Petitioner :- Sheetala Prasad
    Respondent :- State Of Up And 4 Others
    Counsel for Petitioner :- Siddharth Khare
    Counsel for Respondent :- C.S.C.

19. **Case :-** WRIT - A No. - 4720 of 2024
    Petitioner :- Yogendra Pratap Singh
    Respondent :- State Of Up And 4 Others

Counsel for Petitioner :- Siddharth Khare,Sr. Advocate
Counsel for Respondent :- C.S.C.

20. **Case :-** WRIT - A No. - 4241 of 2024
Petitioner :- Vijay Kumar Dwivedi
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Rajkaran Tripathi,Vinod Kumar Singh
Counsel for Respondent :- C.S.C.

21. **Case :-** WRIT - A No. - 4565 of 2024
Petitioner :- Gajendra Singh Rana
Respondent :- State Of U.P. And 3 Others
Counsel for Petitioner :- Adarsh Singh,Indra Raj Singh
Counsel for Respondent :- C.S.C.

22. **Case :-** WRIT - A No. - 4824 of 2024
Petitioner :- Arvind Tiwari And Another
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Ramesh Chandra Dwivedi
Counsel for Respondent :- C.S.C.

23. **Case :-** WRIT - A No. - 751 of 2024
Petitioner :- Smtsuman Srivastava
Respondent :- State Of Up Others And 4 Others
Counsel for Petitioner :- Deo Prakash Singh
Counsel for Respondent :- C.S.C.

24. **Case :-** WRIT - A No. - 772 of 2024
Petitioner :- Abhay Shankar Pandey
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Kailash Singh Kushwaha,Sanjay Kumar Sahu
Counsel for Respondent :- C.S.C.

25. **Case :-** WRIT - A No. - 844 of 2024
Petitioner :- Santosh Kumar Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Deo Prakash Singh
Counsel for Respondent :- C.S.C.

26. **Case :-** WRIT - A No. - 852 of 2024
Petitioner :- Smt Sushma Rani Gupta
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Deo Prakash Singh
Counsel for Respondent :- C.S.C.

27. **Case :-** WRIT - A No. - 908 of 2024
Petitioner :- Smt Manju Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Deo Prakash Singh
Counsel for Respondent :- C.S.C.

28. **Case :-** WRIT - A No. - 1700 of 2024
Petitioner :- Smt Padma Singh
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Deepanshu Dhuriya,Dileep Chandra Mishra
Counsel for Respondent :- C.S.C.

29. **Case :-** WRIT - A No. - 20667 of 2023
Petitioner :- Anil Kumar Singh
Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Adarsh Singh,Indra Raj Singh
Counsel for Respondent :- C.S.C.

30. **Case :-** WRIT - A No. - 20704 of 2023
Petitioner :- Rakesh Tripathi
Respondent :- State Of U.P. And 4 Others
Counsel for Petitioner :- Adarsh Singh,Indra Raj Singh
Counsel for Respondent :- CSC

31. **Case :-** WRIT - A No. - 2349 of 2024
Petitioner :- Raj Mani Tripathi
Respondent :- State Of Up And 7 Others
Counsel for Petitioner :- Rahul Jain
Counsel for Respondent :- C.S.C.

32. **Case :-** WRIT - A No. - 397 of 2024
Petitioner :- Anil Kumar Singh
Respondent :- State Of Up And 2 Others
Counsel for Petitioner :- Akhilendra Singh,Prabhat Kumar Singh
Counsel for Respondent :- C.S.C.

33. **Case :-** WRIT - A No. - 624 of 2024
Petitioner :- Praduman Singh Rathore
Respondent :- State Of Up And 6 Others
Counsel for Petitioner :- Shiv Baboo Singh,Sr. Advocate
Counsel for Respondent :- C.S.C.

34. **Case :-** WRIT - A No. - 826 of 2024
Petitioner :- Awadhesh Kumar Gupta
Respondent :- State of U.P. and Others
Counsel for Petitioner :- Yogesh Kumar Saxena
Counsel for Respondent :- C.S.C.

35. **Case :-** WRIT - A No. - 1410 of 2024
Petitioner :- Murali Manohar Singh
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Man Mohan Singh
Counsel for Respondent :- C.S.C.

36. **Case :-** WRIT - A No. - 863 of 2024
Petitioner :- Arvind Tiwari And Another
Respondent :- State Of Up 5 Others
Counsel for Petitioner :- Ramesh Chandra Dwivedi
Counsel for Respondent :- C.S.C.

37. **Case :-** WRIT - A No. - 21600 of 2023
Petitioner :- Adhir Kumar Singh And 2 Others
Respondent :- State Of U.P. And 3 Others
Counsel for Petitioner :- Vinod Kumar Singh
Counsel for Respondent :- C.S.C.

38. **Case :-** WRIT - A No. - 584 of 2024
Petitioner :- Pramod Kumar Chaubey
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Arvind Kumar Shukla
Counsel for Respondent :- C.S.C.

39. **Case :-** WRIT - A No. - 2406 of 2024
Petitioner :- Radheshyam
Respondent :- State Of Up And 4 Others

Counsel for Petitioner :- Akhilendra Singh,Lalta Prasad,Prabhat Kumar Singh
Counsel for Respondent :- C.S.C.

40. **Case :-** WRIT - A No. - 2933 of 2024
Petitioner :- Gyanendra Kumar Mishra
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Pankaj Kumar Ojha,Shiv Poojan Yadav
Counsel for Respondent :- C.S.C.

41. **Case :-** WRIT - A No. - 419 of 2024
Petitioner :- Nandlal Yadav
Respondent :- State of U.P. and Others
Counsel for Petitioner :- Sanjay Kumar Mishra
Counsel for Respondent :- C.S.C.

42. **Case :-** WRIT - A No. - 533 of 2024
Petitioner :- Shri Bhuraj Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Bhawesh Pratap Singh
Counsel for Respondent :- C.S.C.

43. **Case :-** WRIT - A No. - 20802 of 2023
Petitioner :- Sanjay Verma And Another
Respondent :- State Of U.P. And 4 Others
Counsel for Petitioner :- Vinod Kumar Singh
Counsel for Respondent :- C.S.C.

44. **Case :-** WRIT - A No. - 21695 of 2023
Petitioner :- Rakesh Pal
Respondent :- State Of U.P. And 5 Others
Counsel for Petitioner :- Hritudhwaj Pratap Sahi,Sankalp Narain
Counsel for Respondent :- C.S.C.

45. **Case :-** WRIT - A No. - 2393 of 2024
Petitioner :- Netrapal Singh
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Sandeep Kumar
Counsel for Respondent :- C.S.C.

46. **Case :-** WRIT - A No. - 1001 of 2024
Petitioner :- Mamta Pathak
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Vimal Chandra Mishra
Counsel for Respondent :- C.S.C.

47. **Case :-** WRIT - A No. - 1088 of 2024
Petitioner :- Anil Kumar Shukla
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Adarsh Singh,Indra Raj Singh
Counsel for Respondent :- C.S.C.

48. **Case :-** WRIT - A No. - 1144 of 2024
Petitioner :- Jay Shankar Prasad Shukla
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Alok Shukla,Prabhakar Awasthi
Counsel for Respondent :- C.S.C.

49. **Case :-** WRIT - A No. - 1221 of 2024
Petitioner :- Nagendra Singh
Respondent :- State Of Up And 5 Others

Counsel for Petitioner :- Awadhesh Kumar Malviya,Jitendra Pratap Singh
Counsel for Respondent :- C.S.C.

50. **Case :-** WRIT - A No. - 1237 of 2024
Petitioner :- Raj Kamal Pandey
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Vimal Chandra Mishra
Counsel for Respondent :- C.S.C.

51. **Case :-** WRIT - A No. - 1316 of 2024
Petitioner :- Vishnu Shankar Dwivedi
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Balesh Tripathi,Shivendu Ojha,Sr. Advocate
Counsel for Respondent :- C.S.C.

52. **Case :-** WRIT - A No. - 1715 of 2024
Petitioner :- Devendra Kumar Tripathi
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Vimal Chandra Mishra
Counsel for Respondent :- C.S.C.

53. **Case :-** WRIT - A No. - 20700 of 2023
Petitioner :- Avani Kumar Tagore
Respondent :- State Of U.P. And 4 Others
Counsel for Petitioner :- Adarsh Singh,Indra Raj Singh
Counsel for Respondent :- CSC

54. **Case :-** WRIT - A No. - 21307 of 2023
Petitioner :- Rajendra Prasad Tiwari
Respondent :- State Of U.P. And 3 Others
Counsel for Petitioner :- Shivendu Ojha,Sr. Advocate
Counsel for Respondent :- CSC

55. **Case :-** WRIT - A No. - 2430 of 2024
Petitioner :- Sudha Singh
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Siddharth Khare
Counsel for Respondent :- C.S.C.

56. **Case :-** WRIT - A No. - 2905 of 2024
Petitioner :- Rekha Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Adarsh Singh,Indra Raj Singh
Counsel for Respondent :- C.S.C.

57. **Case :-** WRIT - A No. - 468 of 2024
Petitioner :- Yogendra Nath Mishraand 2 Others
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Siddharth Khare,Sr. Advocate
Counsel for Respondent :- C.S.C.

58. **Case :-** WRIT - A No. - 21228 of 2023
Petitioner :- Rajpal Singh
Respondent :- State Of U.P. And 5 Others
Counsel for Petitioner :- Sankalp Narain,Srivats Narain
Counsel for Respondent :- C.S.C.,Jai Bahadur Singh

59. **Case :-** WRIT - A No. - 695 of 2024
Petitioner :- Anju Gupta
Respondent :- State of U.P.

Counsel for Petitioner :- Kamal Kumar Kesherwani
Counsel for Respondent :- C.S.C.

60. **Case :-** WRIT - A No. - 1078 of 2024
Petitioner :- Ajay Kumar Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Aishwarya Kumar Singh,Rajesh Kumar Singh,Utkarsh Kumar Singh
Counsel for Respondent :- C.S.C.

61. **Case :-** WRIT - A No. - 1173 of 2024
Petitioner :- Anand Kumar Singh And 6 Others
Respondent :- State Of Upand 6 Others
Counsel for Petitioner :- Aishwarya Kumar Singh,Rajesh Kumar Singh,Utkarsh Kumar Singh
Counsel for Respondent :- C.S.C.

62. **Case :-** WRIT - A No. - 1229 of 2024
Petitioner :- Brijesh Singh Yadav
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Mritunjay Mohan Sahai
Counsel for Respondent :- C.S.C.

63. **Case :-** WRIT - A No. - 1446 of 2024
Petitioner :- Mangla Prasad Mishra
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Adarsh Singh,Indra Raj Singh
Counsel for Respondent :- C.S.C.

64. **Case :-** WRIT - A No. - 21689 of 2023
Petitioner :- Ram Bali Prasad And Another
Respondent :- State Of U.P. And 5 Others
Counsel for Petitioner :- Hritudhwaj Pratap Sahi,Sankalp Narain
Counsel for Respondent :- C.S.C.

65. **Case :-** WRIT - A No. - 556 of 2024
Petitioner :- Sunil Kumar Singh
Respondent :- State Of U.P. & 4 Others
Counsel for Petitioner :- Adarsh Singh,Indra Raj Singh
Counsel for Respondent :- C.S.C.

66. **Case :-** WRIT - A No. - 655 of 2024
Petitioner :- Shailendra Kumar Mishra
Respondent :- State of U.P.
Counsel for Petitioner :- Jiya Lal Yadav,Sanjeev Singh

67. **Case :-** WRIT - A No. - 709 of 2024
Petitioner :- Virendra Kumar Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Aishwarya Kumar Singh,Rajesh Kumar Singh,Utkarsh Kumar Singh
Counsel for Respondent :- C.S.C.

68. **Case :-** WRIT - A No. - 732 of 2024
Petitioner :- Prem Shankar Singh And 1 Another
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Sankalp Narain,Srivats Narain
Counsel for Respondent :- C.S.C.

69. **Case :-** WRIT - A No. - 1671 of 2024
Petitioner :- Sudhir Kumar Dubey And Another
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Gautam Baghel,Shivendera Rajwar
Counsel for Respondent :- C.S.C.

70. **Case :-** WRIT - A No. - 1799 of 2024
Petitioner :- Yashendra Kumar Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Durgesh Pratap Singh,Gautam Baghel
Counsel for Respondent :- C.S.C.

71. **Case :-** WRIT - A No. - 20881 of 2023
Petitioner :- Indukant Dixit And Another
Respondent :- State Of U.P. And 5 Others
Counsel for Petitioner :- Siddharth Khare,Sr. Advocate
Counsel for Respondent :- CSC

72. **Case :-** WRIT - A No. - 2067 of 2024
Petitioner :- Jagvir Singh
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Sandeep Kumar
Counsel for Respondent :- C.S.C.

73. **Case :-** WRIT - A No. - 2307 of 2024
Petitioner :- Om Prakash Singh
Respondent :- State Of U.P. & 5 Others
Counsel for Petitioner :- Lokesh Kumar Dwivedi
Counsel for Respondent :- C.S.C.,Santosh Kr. Singh Paliwal

74. **Case :-** WRIT - A No. - 1536 of 2024
Petitioner :- Parmatma Nand Yadav
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Kushmondeya Shahi,Tanuj Shahi
Counsel for Respondent :- C.S.C.

75. **Case :-** WRIT - A No. - 1855 of 2024
Petitioner :- Paras Nath Gupta
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Mohd Areeb Masood,Nikhil Kumar

76. **Case :-** WRIT - A No. - 2036 of 2024
Petitioner :- Shakeel Ahmad
Respondent :- State Of Up And 6 Others
Counsel for Petitioner :- Arvind Kumar Verma,Mahesh Sharma
Counsel for Respondent :- C.S.C.

77. **Case :-** WRIT - A No. - 21205 of 2023
Petitioner :- Smt. Kamlesh Sharma
Respondent :- State Of U.P. And 6 Others
Counsel for Petitioner :- Arvind Kumar Verma,Mahesh Sharma
Counsel for Respondent :- C.S.C.

78. **Case :-** WRIT - A No. - 2969 of 2024
Petitioner :- Ashwani Kumar
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Bajrang Bahadur Singh,Satya Prakash Singh
Counsel for Respondent :- C.S.C.

79. **Case :-** WRIT - A No. - 541 of 2024
Petitioner :- Satish Chandra Sharma
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Bajrang Bahadur Singh,Satya Prakash Singh
Counsel for Respondent :- C.S.C.

80. **Case :-** WRIT - A No. - 626 of 2024
Petitioner :- Suraj Pal Singh
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Bajrang Bahadur Singh,Satya Prakash Singh
Counsel for Respondent :- C.S.C.

81. **Case :-** WRIT - A No. - 1055 of 2024
Petitioner :- Pramod Kumar Rai
Respondent :- State Of Up And 6 Others
Counsel for Petitioner :- Hritudhwaj Pratap Sahi,Sankalp Narain
Counsel for Respondent :- C.S.C.

82. **Case :-** WRIT - A No. - 1079 of 2024
Petitioner :- Manoj Kumar Singh
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Sankalp Narain,Srivats Narain
Counsel for Respondent :- C.S.C.

83. **Case :-** WRIT - A No. - 1121 of 2024
Petitioner :- Chandreshwar Singh And Another
Respondent :- State Of Up 4 Others
Counsel for Petitioner :- Akhilendra Singh,Prabhat Kumar Singh
Counsel for Respondent :- C.S.C.

84. **Case :-** WRIT - A No. - 2915 of 2024
Petitioner :- Faiyaz Ahmad Khan And 2 Others
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Dhananjai Rai,Vibhu Rai
Counsel for Respondent :- C.S.C.

85. **Case :-** WRIT - A No. - 945 of 2024
Petitioner :- Ajeet Kumar Singh
Respondent :- State Of Up And 6 Others
Counsel for Petitioner :- Hritudhwaj Pratap Sahi,Sankalp Narain
Counsel for Respondent :- C.S.C.

86. **Case :-** WRIT - A No. - 2896 of 2024
Petitioner :- Naval Kishor Mishra
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Adarsh Singh,Indra Raj Singh
Counsel for Respondent :- C.S.C.

87. **Case :-** WRIT - A No. - 2925 of 2024
Petitioner :- Mahendra Pratap Singh
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Adarsh Singh,Indra Raj Singh
Counsel for Respondent :- C.S.C.

88. **Case :-** WRIT - A No. - 20456 of 2023
Petitioner :- Sunil Kumar Pandey
Respondent :- State Of U.P. And 4 Others
Counsel for Petitioner :- Kushmondeya Shahi,Tanuj Shahi
Counsel for Respondent :- C.S.C.

89. **Case :-** WRIT - A No. - 1139 of 2024
Petitioner :- Resham Pal
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Man Bahadur Singh,Rajeev Kumar
Counsel for Respondent :- C.S.C.

90. **Case :-** WRIT - A No. - 544 of 2024
Petitioner :- Smt Chandra Kanti Tripathi
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Yogesh Kumar Saxena
Counsel for Respondent :- C.S.C.,Uma Nath Pandey

91. **Case :-** WRIT - A No. - 1132 of 2024
Petitioner :- Ashok Kumar Sharma
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Sunil Kumar
Counsel for Respondent :- C.S.C.

92. **Case :-** WRIT - A No. - 20150 of 2023
Petitioner :- Virendra Singh Yadav
Respondent :- State Of U.P. And 5 Others
Counsel for Petitioner :- Siddharth Khare,Sr. Advocate
Counsel for Respondent :- C.S.C.

93. **Case :-** WRIT - A No. - 20698 of 2023
Petitioner :- Sunil Kumar Yadav
Respondent :- State Of U.P. And 4 Others
Counsel for Petitioner :- Adarsh Singh,Indra Raj Singh
Counsel for Respondent :- CSC

94. **Case :-** WRIT - A No. - 599 of 2024
Petitioner :- Ram Prakash
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Yogesh Kumar Saxena
Counsel for Respondent :- C.S.C.

95. **Case :-** WRIT - A No. - 773 of 2024
Petitioner :- Sudhir Babu And 3 Others
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Yogesh Kumar Saxena
Counsel for Respondent :- C.S.C.

96. **Case :-** WRIT - A No. - 1234 of 2024
Petitioner :- Ishwar Chand Viddyasagar
Respondent :- State Of Up Through Its Principal Secretary Secondary Education And 4 Others
Counsel for Petitioner :- Rajesh Kumar Dubey
Counsel for Respondent :- C.S.C.

97. **Case :-** WRIT - A No. - 3582 of 2024
Petitioner :- Ishwar Chand Viddyasagar
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Monisha Dev Kumar,Rajesh Kumar Dubey
Counsel for Respondent :- C.S.C.

98. **Case :-** WRIT - A No. - 1242 of 2024
Petitioner :- Bal Govind Singh
Respondent :- State Of Up And 4 Others

Counsel for Petitioner :- Ramesh Chandra Dwivedi
Counsel for Respondent :- C.S.C.,Rahul Jain

99. **Case :-** WRIT - A No. - 740 of 2024
Petitioner :- Sudhir Kumar Rai And 3 Others
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Nitin Kumar Rai,Sanjay Kumar Mishra
Counsel for Respondent :- C.S.C.

100. **Case :-** WRIT - A No. - 748 of 2024

Petitioner :- Smt Jyoti Srivastava
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Ramesh Chandra Dwivedi
Counsel for Respondent :- C.S.C.

101. **Case :-** WRIT - A No. - 17168 of 2023
Petitioner :- Chandrabhan Yadav
Respondent :- State Of U.P. And 3 Others
Counsel for Petitioner :- Ashwani Kumar Sachan,Saurabh Sachan
Counsel for Respondent :- C.S.C

102. **Case :-** WRIT - A No. - 8532 of 2024
Petitioner :- Chandrabhan Yadav
Respondent :- State Of U.P. And 3 Others
Counsel for Petitioner :- Ashwani Kumar Sachan,Saurabh Sachan
Counsel for Respondent :- C.S.C.

103. **Case :-** WRIT - A No. - 20162 of 2023
Petitioner :- Devendra Singh
Respondent :- State Of U.P. And 4 Others
Counsel for Petitioner :- Babboo Ram,Gautam Baghel
Counsel for Respondent :- C.S.C.

104. **Case :-** WRIT - A No. - 20558 of 2023
Petitioner :- Saleemuddin
Respondent :- State Of U.P. And 4 Others
Counsel for Petitioner :- Adarsh Shukla,Prabhakar Awasthi
Counsel for Respondent :- C.S.C.

105. **Case :-** WRIT - A No. - 391 of 2024
Petitioner :- Brahm Singh And Another
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Babboo Ram,Gautam Baghel
Counsel for Respondent :- C.S.C.

106. **Case :-** WRIT - A No. - 1984 of 2024
Petitioner :- Satyendra Kumar Dwivedi
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Jitendra Kumar Ravat
Counsel for Respondent :- C.S.C.

107. **Case :-** WRIT - A No. - 1105 of 2024
Petitioner :- Jai Prakash
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Akhilendra Singh,Prabhat Kumar Singh
Counsel for Respondent :- C.S.C.

108. **Case :-** WRIT - A No. - 1112 of 2024
Petitioner :- Rakesh Kumar Singh

Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Deo Prakash Singh
Counsel for Respondent :- C.S.C.

109. **Case :-** WRIT - A No. - 1118 of 2024
Petitioner :- Anuruddha Kumar Yadav And Another
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Akhilendra Singh,Lalta Prasad
Counsel for Respondent :- C.S.C.

110. **Case :-** WRIT - A No. - 1125 of 2024
Petitioner :- Santosh Kumar Singh And Another
Respondent :- State Of Up 4 Others
Counsel for Petitioner :- Akhilendra Singh,Prabhat Kumar Singh
Counsel for Respondent :- C.S.C.

111. **Case :-** WRIT - A No. - 1145 of 2024
Petitioner :- Manish Kumar Sigh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- R. K. Singh Kaosik
Counsel for Respondent :- C.S.C.

112. **Case :-** WRIT - A No. - 1153 of 2024
Petitioner :- Jai Pratap Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- R. K. Singh Kaosik
Counsel for Respondent :- C.S.C.

113. **Case :-** WRIT - A No. - 1155 of 2024
Petitioner :- Nagesh Kumar Dubey
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Prabhat Kumar Singh,Shivendra Bahadur Singh
Counsel for Respondent :- C.S.C.

114. **Case :-** WRIT - A No. - 1231 of 2024
Petitioner :- Pramod Kumar Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Adarsh Singh,Indra Raj Singh
Counsel for Respondent :- C.S.C.

115. **Case :-** WRIT - A No. - 1245 of 2024
Petitioner :- Pradeep Kumar Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Deo Prakash Singh

116. **Case :-** WRIT - A No. - 1250 of 2024
Petitioner :- Prem Chandra Shukla
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Deo Prakash Singh
Counsel for Respondent :- C.S.C.

117. **Case :-** WRIT - A No. - 1262 of 2024
Petitioner :- Ajit Bahadur Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Deo Prakash Singh
Counsel for Respondent :- C.S.C.

118. **Case :-** WRIT - A No. - 1273 of 2024
Petitioner :- Daya Shanker Yadav
Respondent :- State Of Up And 4 Others

Counsel for Petitioner :- Deo Prakash Singh
Counsel for Respondent :- C.S.C.

119. **Case :-** WRIT - A No. - 1288 of 2024
Petitioner :- Shaheda Bano
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Deo Prakash Singh
Counsel for Respondent :- C.S.C.

120. **Case :-** WRIT - A No. - 1291 of 2024
Petitioner :- Amar Bahadur Yadav
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Deo Prakash Singh
Counsel for Respondent :- C.S.C.

121. **Case :-** WRIT - A No. - 1329 of 2024
Petitioner :- Nagesh Kumar Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Deo Prakash Singh
Counsel for Respondent :- C.S.C.

122. **Case :-** WRIT - A No. - 1358 of 2024
Petitioner :- Birendra Bahadur Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Deo Prakash Singh
Counsel for Respondent :- C.S.C.

123. **Case :-** WRIT - A No. - 1380 of 2024
Petitioner :- Pradeep Kumar Singh
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Amar Nath Pandey
Counsel for Respondent :- C.S.C.

124. **Case :-** WRIT - A No. - 1524 of 2024
Petitioner :- Shashi Dhar Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Adarsh Singh,Indra Raj Singh
Counsel for Respondent :- C.S.C.

125. **Case :-** WRIT - A No. - 1551 of 2024
Petitioner :- Smt Poonam Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Deo Prakash Singh
Counsel for Respondent :- C.S.C.

126. **Case :-** WRIT - A No. - 1575 of 2024
Petitioner :- Pramod Kumar Srivastava
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Sunil Kumar Srivastava
Counsel for Respondent :- C.S.C.

127. **Case :-** WRIT - A No. - 1675 of 2024
Petitioner :- Rajesh Kumar Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Adarsh Singh,Indra Raj Singh
Counsel for Respondent :- C.S.C.

128. **Case :-** WRIT - A No. - 1709 of 2024
Petitioner :- Arvind Singh
Respondent :- State Of Up And 4 Others

Counsel for Petitioner :- R. K. Singh Kaosik
Counsel for Respondent :- C.S.C.

129. **Case :-** WRIT - A No. - 1731 of 2024
Petitioner :- Suresh Chandra
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Adarsh Singh,Indra Raj Singh
Counsel for Respondent :- C.S.C.

130. **Case :-** WRIT - A No. - 1736 of 2024
Petitioner :- Om Prakash Singh
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Amar Nath Pandey
Counsel for Respondent :- C.S.C.

131. **Case :-** WRIT - A No. - 1739 of 2024
Petitioner :- Shri Prakash Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Adarsh Singh,Indra Raj Singh
Counsel for Respondent :- C.S.C.

132. **Case :-** WRIT - A No. - 1750 of 2024
Petitioner :- Raj Kumar Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Adarsh Singh,Indra Raj Singh
Counsel for Respondent :- C.S.C.

133. **Case :-** WRIT - A No. - 1759 of 2024
Petitioner :- Brijesh Kumar Singh
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Rajnish Kumar Srivastava,Siddharth Srivastava
Counsel for Respondent :- C.S.C.

134. **Case :-** WRIT - A No. - 1798 of 2024
Petitioner :- Sunil Kumar Tripathi
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Amar Nath Pandey
Counsel for Respondent :- C.S.C.

135. **Case :-** WRIT - A No. - 2009 of 2024
Petitioner :- Santosh Kumar Singh
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Amar Nath Pandey
Counsel for Respondent :- C.S.C.

136. **Case :-** WRIT - A No. - 1648 of 2024
Petitioner :- Sunil Kumar Pandey And 8 Others
Respondent :- State Of Up And 8 Others
Counsel for Petitioner :- Ajeet Kumar Shukla,Prabhakar Awasthi,Vinay Kumar Upadhyay
Counsel for Respondent :- C.S.C.

137. **Case :-** WRIT - A No. - 2089 of 2024
Petitioner :- Jai Shankar Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Alok Dwivedi
Counsel for Respondent :- C.S.C.

138. **Case :-** WRIT - A No. - 2092 of 2024
Petitioner :- Ashok Kumar Singh

Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- R. K. Singh Kaosik
Counsel for Respondent :- C.S.C.

139. **Case :-** WRIT - A No. - 21034 of 2023
Petitioner :- Manoj Kumar Pandey
Respondent :- State Of U.P. And 5 Others
Counsel for Petitioner :- Arvind Kumar Upadhyay,Sr. Advocate
Counsel for Respondent :- C.S.C.

140. **Case :-** WRIT - A No. - 21309 of 2023
Petitioner :- Dinesh Kumar Shukla And Another
Respondent :- State Of U.P. And 5 Others
Counsel for Petitioner :- Ramesh Chandra Dwivedi
Counsel for Respondent :- C.S.C.

141. **Case :-** WRIT - A No. - 2143 of 2024
Petitioner :- Suryabhan Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- R. K. Singh Kaosik
Counsel for Respondent :- C.S.C.

142. **Case :-** WRIT - A No. - 2147 of 2024
Petitioner :- Rajesh Kumar Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Adarsh Singh,Indra Raj Singh
Counsel for Respondent :- C.S.C.

143. **Case :-** WRIT - A No. - 2154 of 2024
Petitioner :- Ganesh Chand Yadav
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Rajnish Kumar Srivastava,Siddharth Srivastava
Counsel for Respondent :- C.S.C.

144. **Case :-** WRIT - A No. - 2164 of 2024
Petitioner :- Rajesh Kumar Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- R. K. Singh Kaosik
Counsel for Respondent :- C.S.C.

145. **Case :-** WRIT - A No. - 2187 of 2024
Petitioner :- Jitendra Prasad Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Adarsh Singh,Indra Raj Singh
Counsel for Respondent :- C.S.C.

146. **Case :-** WRIT - A No. - 2189 of 2024
Petitioner :- Paras Nath Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- R. K. Singh Kaosik
Counsel for Respondent :- C.S.C.

147. **Case :-** WRIT - A No. - 2191 of 2024
Petitioner :- Tribhuwan Nath Tiwari
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Amar Nath Pandey
Counsel for Respondent :- C.S.C.

148. **Case :-** WRIT - A No. - 2354 of 2024
Petitioner :- Navajish Ali

Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Indra Jeet Yadav
Counsel for Respondent :- C.S.C.

149. **Case :-** WRIT - A No. - 2360 of 2024
Petitioner :- Anil Kumar
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Awadhesh Kumar Malviya,Vijay Pratap Singh
Counsel for Respondent :- C.S.C.

150. **Case :-** WRIT - A No. - 2399 of 2024
Petitioner :- Surendra Kumar Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Deo Prakash Singh
Counsel for Respondent :- C.S.C.

151. **Case :-** WRIT - A No. - 2413 of 2024
Petitioner :- Lalji Yadav
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Kushmondeya Shahi,Tanuj Shahi
Counsel for Respondent :- C.S.C.

152. **Case :-** WRIT - A No. - 2422 of 2024
Petitioner :- Subash Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Deo Prakash Singh
Counsel for Respondent :- C.S.C.

153. **Case :-** WRIT - A No. - 2454 of 2024
Petitioner :- Pradeep Kumar Srivastava
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Adarsh Singh,Indra Raj Singh
Counsel for Respondent :- C.S.C.

154. **Case :-** WRIT - A No. - 2458 of 2024
Petitioner :- Sanjay Kumar Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Adarsh Singh,Indra Raj Singh
Counsel for Respondent :- C.S.C.

155. **Case :-** WRIT - A No. - 2460 of 2024
Petitioner :- Urmila Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- R. K. Singh Kaosik
Counsel for Respondent :- C.S.C.

156. **Case :-** WRIT - A No. - 2469 of 2024
Petitioner :- Jai Prakash Singh
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Amar Nath Pandey
Counsel for Respondent :- C.S.C.

157. **Case :-** WRIT - A No. - 2476 of 2024
Petitioner :- Abhiram Yadav
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Amar Nath Pandey
Counsel for Respondent :- C.S.C.

158. **Case :-** WRIT - A No. - 2511 of 2024
Petitioner :- Rama Shankar Yadav

Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Amar Nath Pandey
Counsel for Respondent :- C.S.C.

159. **Case :-** WRIT - A No. - 2528 of 2024
Petitioner :- Virendra Nath Yadav
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Deo Prakash Singh
Counsel for Respondent :- C.S.C.

160. **Case :-** WRIT - A No. - 2617 of 2024
Petitioner :- Rajesh Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Deo Prakash Singh,Rishi Kumar Singh
Counsel for Respondent :- C.S.C.

161. **Case :-** WRIT - A No. - 2679 of 2024
Petitioner :- Sunil Kumar Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Deo Prakash Singh,Rishi Kumar Singh
Counsel for Respondent :- C.S.C.

162. **Case :-** WRIT - A No. - 2681 of 2024
Petitioner :- Devendra Pratap Narayan Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Deo Prakash Singh,Rishi Kumar Singh
Counsel for Respondent :- C.S.C.

163. **Case :-** WRIT - A No. - 2714 of 2024
Petitioner :- Smt Neelam Singh
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Chhaya Gupta,Sujeet Kumar
Counsel for Respondent :- C.S.C.

164. **Case :-** WRIT - A No. - 2757 of 2024
Petitioner :- Hriday Narayan Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Deo Prakash Singh,Rishi Kumar Singh
Counsel for Respondent :- C.S.C.

165. **Case :-** WRIT - A No. - 2780 of 2024
Petitioner :- Sateesh Kumar Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Deo Prakash Singh,Rishi Kumar Singh
Counsel for Respondent :- C.S.C.

166. **Case :-** WRIT - A No. - 2813 of 2024
Petitioner :- Devendra Pratap Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Ajeet Kumar Singh
Counsel for Respondent :- C.S.C.

167. **Case :-** WRIT - A No. - 2873 of 2024
Petitioner :- Surya Prakash Tripathi
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Adarsh Singh,Indra Raj Singh
Counsel for Respondent :- C.S.C.

168. **Case :-** WRIT - A No. - 2875 of 2024
Petitioner :- Rajesh Kumar Singh

Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Adarsh Singh,Indra Raj Singh
Counsel for Respondent :- C.S.C.

169. **Case :-** WRIT - A No. - 2886 of 2024
Petitioner :- Sanjeev Kumar Singh
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Amar Nath Pandey

170. **Case :-** WRIT - A No. - 293 of 2024
Petitioner :- Rajendra Prasad Tiwari
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Rajnish Kumar Srivastava,Siddharth Srivastava
Counsel for Respondent :- C.S.C.

171. **Case :-** WRIT - A No. - 2937 of 2024
Petitioner :- Praveen Mishra
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Anuj Bajpai,Sanjay Kumar Mishra
Counsel for Respondent :- C.S.C.

172. **Case :-** WRIT - A No. - 2938 of 2024
Petitioner :- Vinay Kumar Dubey
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Anuj Bajpai,Sanjay Kumar Mishra
Counsel for Respondent :- C.S.C.

173. **Case :-** WRIT - A No. - 294 of 2024
Petitioner :- Anand Kumar Srivastava
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Sunil Kumar Srivastava
Counsel for Respondent :- C.S.C.

174. **Case :-** WRIT - A No. - 2944 of 2024
Petitioner :- Kailash Nath Maurya
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Adarsh Singh,Indra Raj Singh
Counsel for Respondent :- C.S.C.

175. **Case :-** WRIT - A No. - 3064 of 2024
Petitioner :- Smt Indu Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Deo Prakash Singh,Rishi Kumar Singh
Counsel for Respondent :- C.S.C.

176. **Case :-** WRIT - A No. - 3116 of 2024
Petitioner :- Sant Lal
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Deo Prakash Singh,Rishi Kumar Singh
Counsel for Respondent :- C.S.C.

177. **Case :-** WRIT - A No. - 3179 of 2024
Petitioner :- Nand Lal Maurya And Another
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Akhilendra Singh,Jitender Singh,Prabhat Kumar Singh
Counsel for Respondent :- C.S.C.

178. **Case :-** WRIT - A No. - 3224 of 2024
Petitioner :- Sanjay Kumar Singh

Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Akhilendra Singh,Prabhat Kumar Singh
Counsel for Respondent :- C.S.C.

179. **Case :-** WRIT - A No. - 3277 of 2024
Petitioner :- Akhilesh Kumar Singh And Another
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Akhilendra Singh,Prabhat Kumar Singh
Counsel for Respondent :- C.S.C.

180. **Case :-** WRIT - A No. - 402 of 2024
Petitioner :- Surya Mani Upadhyay
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- R. K. Singh Kaosik
Counsel for Respondent :- C.S.C.

181. **Case :-** WRIT - A No. - 4033 of 2024
Petitioner :- Chitra Sen Singh
Respondent :- State Of U.P. And 3 Others
Counsel for Petitioner :- Kushmondeya Shahi,Tanuj Shahi
Counsel for Respondent :- C.S.C.

182. **Case :-** WRIT - A No. - 4224 of 2024
Petitioner :- Laxmi Shankar Yadav
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Ramesh Chandra Dwivedi
Counsel for Respondent :- C.S.C.

183. **Case :-** WRIT - A No. - 478 of 2024
Petitioner :- Aprit Kumar Srivastava
Respondent :- State Of U.P. & 5 Others
Counsel for Petitioner :- Sunil Kumar Srivastava
Counsel for Respondent :- C.S.C.

184. **Case :-** WRIT - A No. - 561 of 2024
Petitioner :- Sanjay Kumar Singh
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Amar Nath Pandey
Counsel for Respondent :- C.S.C.

185. **Case :-** WRIT - A No. - 630 of 2024
Petitioner :- Dharmendra Kumar Singh
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Amar Nath Pandey
Counsel for Respondent :- C.S.C.

186. **Case :-** WRIT - A No. - 635 of 2024
Petitioner :- Santosh Kumar Singh
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Siddharth Khare,Sr. Advocate
Counsel for Respondent :- C.S.C.

187. **Case :-** WRIT - A No. - 643 of 2024
Petitioner :- Indra Prakash Singh
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Rajnish Kumar Srivastava,Siddharth Srivastava
Counsel for Respondent :- C.S.C.

188. **Case :-** WRIT - A No. - 667 of 2024
Petitioner :- Rajesh Kumar Mishra

Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Amar Nath Pandey
Counsel for Respondent :- C.S.C.

189. **Case :-** WRIT - A No. - 681 of 2024
Petitioner :- Lal Sahab Singh
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Rajnish Kumar Srivastava,Siddharth Srivastava
Counsel for Respondent :- C.S.C.

190. **Case :-** WRIT - A No. - 697 of 2024
Petitioner :- Smt Veena Singh
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Rajnish Kumar Srivastava,Siddharth Srivastava
Counsel for Respondent :- C.S.C.

191. **Case :-** WRIT - A No. - 5805 of 2024
Petitioner :- Lakshman Singh
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Siddharth Khare,Sr. Advocate
Counsel for Respondent :- C.S.C.

192. **Case :-** WRIT - A No. - 7890 of 2024
Petitioner :- Sudhir Kumar Dubey And Another
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Gautam Baghel
Counsel for Respondent :- C.S.C.

193. **Case :-** WRIT - A No. - 8218 of 2024
Petitioner :- Pratap Kumar Pal
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Rahul Kumar Tiwari,Sandeep Kumar
Counsel for Respondent :- C.S.C.

194. **Case :-** WRIT - A No. - 5886 of 2024
Petitioner :- Kamlesh Kumar Verma
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Gautam Baghel
Counsel for Respondent :- C.S.C.

195. **Case :-** WRIT - A No. - 6015 of 2024
Petitioner :- Kaushal Kishor Mishra
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Gautam Baghel
Counsel for Respondent :- C.S.C.

196. **Case :-** WRIT - A No. - 9025 of 2024
Petitioner :- Smt Prerna Saxena
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Arvind Kumar Singh
Counsel for Respondent :- Alok Tripathi,C.S.C.

197. **Case :-** WRIT - A No. - 5737 of 2024
Petitioner :- Sanjay Dubey
Respondent :- The State Of U.P. And 3 Others
Counsel for Petitioner :- Avdhesh Narayan Tiwari,Shivendu Ojha,Sr. Advocate
Counsel for Respondent :- C.S.C.

198. **Case :-** WRIT - A No. - 6403 of 2024
Petitioner :- Jagdish Prasad Tiwari

Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Jitendra Kumar Ravat
Counsel for Respondent :- C.S.C.

199. **Case :-** WRIT - A No. - 6022 of 2024
Petitioner :- Satyendra Kumar Dwivedi
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Jitendra Kumar Ravat
Counsel for Respondent :- C.S.C.

200. **Case :-** WRIT - A No. - 7441 of 2024
Petitioner :- Sanjay Vyas
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Jitendra Kumar Ravat
Counsel for Respondent :- C.S.C.

201. **Case :-** WRIT - A No. - 7611 of 2024
Petitioner :- Daya Shankar Sharma
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Arti Raje,Shriya Raje
Counsel for Respondent :- C.S.C.

202. **Case :-** WRIT - A No. - 1074 of 2024
Petitioner :- Mahendra Yadav
Respondent :- State Of Up Others
Counsel for Petitioner :- Ramesh Chandra Dwivedi
Counsel for Respondent :- C.S.C.

203. **Case :-** WRIT - A No. - 4250 of 2024
Petitioner :- Rambharosh Mishra
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Santosh Kr. Singh Paliwal
Counsel for Respondent :- C.S.C.

204. **Case :-** WRIT - A No. - 4088 of 2024
Petitioner :- Dinesh Kumar Pandey
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Nisheeth Yadav
Counsel for Respondent :- Anand Kumar Yadav,C.S.C.

205. **Case :-** WRIT - A No. - 2244 of 2024
Petitioner :- Saroj Kumar
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- R. K. Singh Kaosik
Counsel for Respondent :- C.S.C.

206. **Case :-** WRIT - A No. - 4406 of 2024
Petitioner :- Akbal Singh And 2 Others
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Nitin Sharma,Rajneesh Kumar Singh
Counsel for Respondent :- C.S.C.

207. **Case :-** WRIT - A No. - 1920 of 2024
Petitioner :- Jang Bahadur Yadav
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- Rajnish Kumar Srivastava,Siddharth Srivastava
Counsel for Respondent :- C.S.C.

208. **Case :-** WRIT - A No. - 2264 of 2024
Petitioner :- Main Bahadur Singh And Another

Respondent :- State Of U.P. & 3 Others
Counsel for Petitioner :- Rajnish Kumar Srivastava,Siddharth Srivastava
Counsel for Respondent :- C.S.C.

209. **Case :-** WRIT - A No. - 7661 of 2024
Petitioner :- Santosh Kumar Dwivedi
Respondent :- State Of Up And 5 Others
Counsel for Petitioner :- Prabhakar Awasthi,Shubham Dwivedi
Counsel for Respondent :- C.S.C.

210. **Case :-** WRIT - A No. - 21383 of 2023
Petitioner :- Umesh Singh And Another
Respondent :- State Of U.P. And 5 Others
Counsel for Petitioner :- Ramesh Chandra Dwivedi
Counsel for Respondent :- C.S.C

211. **Case :-** WRIT - A No. - 2472 of 2024
Petitioner :- Lal Shahab Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Deo Prakash Singh
Counsel for Respondent :- C.S.C.

212. **Case :-** WRIT - A No. - 3244 of 2024
Petitioner :- Devendra Pratap Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Deo Prakash Singh,Rishi Kumar Singh
Counsel for Respondent :- C.S.C.

213. **Case :-** WRIT - A No. - 3283 of 2024
Petitioner :- Madan Gopal
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Deo Prakash Singh,Rishi Kumar Singh
Counsel for Respondent :- C.S.C.

214. **Case :-** WRIT - A No. - 21204 of 2023
Petitioner :- Pushpendra Singh
Respondent :- State Of U.P. And 6 Others
Counsel for Petitioner :- Arvind Kumar Verma,Mahesh Sharma
Counsel for Respondent :- C.S.C.

215. **Case :-** WRIT - A No. - 507 of 2024
Petitioner :- Arun Kumar Gupta
Respondent :- State Of Up And 3 Others
Counsel for Petitioner :- C.S.C.,Ratnakar Upadhyay,Shailendra Kumar Pathak

216. **Case :-** WRIT - A No. - 3046 of 2024
Petitioner :- Rama Shankar Yadav And 2 Others
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Akhilendra Singh,Lalta Prasad,Prabhat Kumar Singh
Counsel for Respondent :- C.S.C.

217. **Case :-** WRIT - A No. - 3049 of 2024
Petitioner :- Tarak Nath Yadav
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Akhilendra Singh,Lalta Prasad,Prabhat Kumar Singh
Counsel for Respondent :- C.S.C.

218. **Case :-** WRIT - A No. - 3105 of 2024
Petitioner :- Bhup Narayan Shukla And Another
Respondent :- State Of Up And 4 Others

Counsel for Petitioner :- Akhilendra Singh,Prabhat Kumar Singh
Counsel for Respondent :- C.S.C.

219. **Case :-** WRIT - A No. - 3205 of 2024

Petitioner :- Anand Kumar Singh
Respondent :- State Of Up And 4 Others
Counsel for Petitioner :- Akhilendra Singh,Prabhat Kumar Singh
Counsel for Respondent :- C.S.C.

Hon'ble Rohit Ranjan Agarwal,J.

1. This bunch of writ petitions raises somewhat similar question for consideration by this Court filed under Article 226 of the Constitution of India. The leading case being Writ-A No.21492 of 2023 (Vinod Kumar Srivastava vs. State of U.P. and Ors.), wherein orders dated 21.11.2023 and 22.11.2023 passed by District Inspector of Schools, Jalaun at Orai is under challenge stopping salary of the petitioner in terms of Government Order dated 09.11.2023.

2. Petitioners before this Court have raised serious question as to the competence of the Regional Regularization Committee constituted by the State Government for looking into regularization of the Assistant Teachers appointed against the short term vacancy/ *ad hoc* appointment in view of the provisions of Section 33-B, C, F, and G.

3. The claim for regularization in most of cases has been rejected by the Committee relying upon the decision rendered by the Apex Court in case of **Sanjay Singh and others vs. State of Uttar Pradesh and others**, **Civil Appeal No. 8300 of 2016**, decided on 26.08.2020 and Government Order dated 09.11.2023.

4. The State Government had promulgated U.P. Secondary Education Service Selection Board Act, 1982 *(hereinafter called as "Act of 1982").* Section 33-B was inserted by U.P. Act, 1991 w.e.f. 06.04.1991 relating to regularization of appointment of all teachers other than the Principal or Head Master who was appointed by promotion or by direct recruitment in the Lecturer grade or Trained Graduate grade on or before May 14, 1991 or in the Certificate of Teaching grade (CT Grade) on or before May 13,

1989 against a short term vacancy in accordance with Paragraph 2 of the The U.P. Secondary Education Services Commission (Removal of Difficulties) (Second) Order, 1981 and such vacancy was subsequently converted into a substantive vacancy.

5. It was also provided that any appointment made by direct recruitment on or after July 14, 1981 but not later than June 12, 1985 on *ad hoc* basis against a substantive vacancy in CT grade through advertisement and such appointment being approved by the Inspector, or appointment made by promotion or by direct recruitment on or after July 31, 1988 but not later than May 14, 1991 on *ad hoc* basis against a substantive vacancy in accordance with law.

6. The State thereafter inserted Section 33-C through U.P. Act No.25 of 1998 w.e.f. 20.04.1998 for regularization of certain more appointments of teachers post May 14, 1991 but not later than August 6, 1993 on *ad hoc* basis against substantive vacancy in accordance with Section 18, in the Lecturer grade or Trained Graduate grade.

7. The Act of 1982 was further amended and Section 33-F was inserted by U.P. Ordinance No.19 of 2000 for regularization of appointment against short term vacancies of teachers appointed by promotion or by direct recruitment in the Lecturer's grade or Trained Graduate grade on or after May 14, 1991 but not later than August 6, 1993 against a short term vacancy in accordance with Paragraph 2 of The U.P. Secondary Education Services Commission (Removal of Difficulties) (Second) Order, 1981 as amended from time to time.

8. Section 33-G was inserted by U.P. Act No.7 of 2016 providing for regularization of certain more appointments against the short term vacancies of teachers other than the Principal or Head Master who was appointed by promotion or by direct recruitment in the Lecturer's grade or Trained Graduate grade on or after August 7, 1993, but not later than January 25, 1999 against a short term vacancy in accordance with

paragraph 2 of The U.P. Secondary Education Services Commission (Removal of Difficulties) (Second) Order, 1981 as amended from time to time. It was also provided that those teachers who were appointed by promotion or by direct recruitment on or after August 7, 1993, but not later than December 30, 2000 on *ad hoc* basis against substantive vacancy in accordance with Section 18 in Lecturer grade or Trained Graduate grade and possesses the qualification as provided under the U.P. Intermediate Education Act, 1921 *(hereinafter called as "Act, 1921")* would be considered for regularization.

9. It appears that the matter for regularization of Assistant Teachers came up before Division Bench of this Court in case of **Abhishek Tripathi vs. State of U.P. and others, Writ Petition No. 655 (S/S) of 2014**, who was appointed on the post of Lecturer in Hindi in the year 2013, the Division Bench found that the view taken in case of **Sanjay Singh vs. State of U.P. and others (2013) 1 UPLBEC 758** by Co-ordinate Bench was not correct and was overruled and the decision taken in case of **Pradeep Kumar vs. State of U.P. and Ors., Writ-A No.22520 of 2013**, decided on 01.05.2013, was correct and the Court refused to grant the benefit of regularization. Sanjay Singh and others preferred a Special Leave Petition before Hon'ble Apex Court which was converted into Civil Appeal No.8300 of 2016. The Apex Court found that the adhocism was to end in regard to appointment of Assistant Teacher, and by judgment dated 26.08.2020 exercising power under Section 142 of the Constitution held as under:-

> *"7. It is in the conspectus of all the aforesaid circumstances that we consider appropriate to issue the following directions in exercise of power under Article 142 of the Constitution of India:*
>
> *(a) All the petitioners/appellants and applicants before us and for that matter all persons eligible under the advertisement will be permitted to appear for one single examination.*
>
> *(b) Such of the persons who are successful, would have to go through a process of interview insofar as the post of lecturers is concerned, as we*

are informed that the post of TGTs the interviews have been dispensed with.

(c) We are inclined to give some weightage to the persons who have worked as TGT and lecturers depending on the period of service rendered. It is respondent No.3-Commission which will have to tweak this aspect and work out giving some weightage to both TGT and lecturers depending on the period of service rendered. In the case of TGTs, such weightage will have to form a part of the total marks while in case of the lecturers such weightage can be given in the process of interview.

(d) The advertisement to be issued should contain the terms of these directions issued by us today.

(e) We make it clear that the decision as aforesaid will be final of the Commission and no further litigation will be entertained in respect thereof.

(f) Insofar as the verification of past service is concerned, the concerned teachers/lecturers would give the particulars and details to the Commission for obtaining such weightage and that aspect will be verified by the Commission in consultation with the State Government as we are told that it is the State Government which would have the wherewithal to do the needful. Needless to say that aspect will also be final without any further litigation being entertained in that behalf.

(g) In view of the weightage given, for the same the examination process can be completed.

(h) The other aspect is that apart from the weightage, the period which has been verified as having been spent in teaching as adhoc, would be counted for purposes of retiral benefits of the TGTs and Lecturers."

10. Pursuant to the judgment of the Apex Court, State proceeded to issue the advertisement for regularizing the services of the *ad hoc* appointees in the educational institution. It appears that some clarification application was moved being M.A. No.818 of 2021 before Hon'ble Apex Court in Civil Appeal No.8300 of 2016. The Apex Court clarified its earlier order and passed the following order :-

"Thus, only the remains issue consideration of these 18 persons appointed who are stated to had not been strictly appointed in terms of Section 16 (E) 11 of the said Act.

In view of the large number of vacancies in recruitment and the passage of time for which they have worked, to put a quietus to the issue, we consider appropriate that these 18 people may also be given

appointment. We do so by exercising our jurisdiction under Article 142 of the Constitution of India to do complete justice to the parties. The list of these applicants be published on the web site within a week.

Insofar as the persons who have informed not to have been recruited in compliance of Section 16 (E) 11, that does not take away the obligation of the Institute to pay those people the salary having taken work from them. This is the burden of the Management and we cannot burden the Government.

Application stands disposed of.

The necessary action be taken by the respondent(s) within a maximum period of two months from today.

We make it clear that this puts a quietus to the complete issue and before us or entertained. no further proceedings before the High Court are to be entertained."

11. The State thereafter proceeded to regularize the services of all those candidates who were appointed on *ad hoc* basis post 2000 and had appeared in pursuance of the advertisement.

12. In one of the matters relating to Section 33-G, one Raghvendra Prasad Pandey had filed a writ petition before Lucknow Bench of this Court. The said writ petition was allowed directing the State to proceed in accordance with Section 33-G. The State filed a Special Appeal Defective No.103 of 2023 before the Division Bench at Lucknow which was rejected by the order dated 03.03.2023. Against the said judgment, the State had preferred a Special Leave to Appeal before Hon'ble Apex Court bearing No.13023 of 2023, which was dismissed on 17.07.2023 upholding the order passed by the High Court, which is as under:-

"Application for impleadment is rejected.

The impugned judgment dated 03.03.2023 takes care of the interest of the petitioner in the following terms:

"Thus, continuance of the respondents- petitioners on adhoc capacity is subject to their consideration for substantive appointment in terms of Section 33G and further that they shall cease to remain adhoc

appointees from such date as the State Government may provide. The appellants-State authorities shall thus undertake the aforesaid exercise as envisaged under Section 33G in respect of all the respondents-petitioners and conclude the same, as expeditiously as possible."

We really don't see why they should have come to this Court in view of the aforesaid liberty granted and it is for the petitioner to examine the case under the relevant statutory provision.

The Special Leave Petition is dismissed.

Pending applications stand disposed of."

13. It appears that the State Government thereafter proceeded to issue a Government Order on 09.11.2023 wherein the reference as to the decision rendered in case of **Abhishek Tripathi (supra)** as well as decision of the Apex Court rendered in case of **Sanjay Singh (supra)** was noted down by the State Government, and it proceeded to hold in paragraph 4 and 5 of the Government Order that the Assistant Teachers appointed on *ad hoc* basis were not entitled to continue after the decision rendered on 26.08.2020, as they were not appointed in accordance with provisions of Section 18 of the Act, 1982 between the cut off date mentioned in the said paragraph. The salary was also directed to be stopped immediately and the services of such Assistant Teachers stood terminated from the said date. Relevant paragraphs 4 and 5 of the Government Order are extracted hereas under:-

"4- अतः विषयगत सिविल अपील संख्या-8300/2016 संजय सिंह व अन्य बनाम उ०प्र० राज्य व अन्य एवं इससे सम्बन्धित मिसलेनियस अप्लीकेशन संख्या-818/2021 में मा० सर्वोच्च न्यायालय द्वारा पारित आदेश दिनांक 26.08.2020 एवं 07.12.2021 के आलोक एवं उपर्युक्त वर्णित स्थिति एवं तथ्यों के आधार पर मुझे निम्नवत् कहने का निदेश हुआ है :-

1. अशासकीय सहायता प्राप्त माध्यमिक विद्यालयों में कार्यरत ऐसे तदर्थ शिक्षक , जिनकी नियुक्ति सीधी भर्ती द्वारा अल्पकालिक रिक्ति के सापेक्ष प्रवक्ता श्रेणी या प्रशिक्षित स्नातक श्रेणी में 07 अगस्त, 1993 को या उसके पश्चात किन्तु 25 जनवरी, 1999 के पश्चात नहीं, समय-समय पर यथासंशोधित उ०प्र० माध्यमिक शिक्षा सेवा

आयोग (कठिनाईयों को दूर करना) (द्वितीय) आदेश, 1981 के पैरा-2 के अन्तर्गत अनियमित रूप से की गयी है और उनका विनियमितीकरण नहीं किया गया है, की तदर्थ सवायें समाप्त किये जाने का निर्णय लिया जाता है।

अथवा

मौलिक रिक्ति के सापेक्ष प्रवक्ता श्रेणी या प्रशिक्षित स्नातक श्रेणी में सीधी भर्ती द्वारा 07 अगस्त, 1993 को या उसके पश्चात किन्तु 30 दिसम्बर, 2000 के पश्चात नहीं, धारा-18 के अन्तर्गत अनियमित रूप से की गयी है. और उनका विनियमितीकरण नहीं किया गया है, की तदर्थ सवायें समाप्त किये जाने का निर्णय लिया जाता है।

अथवा

30 दिसम्बर, 2000 के पश्चात इण्टरमीडिएट शिक्षा अधिनियम, 1921 की धारा-16 (ई)-11 के अन्तर्गत की गयी है, की तदर्थ सेवायें समाप्त किये जाने का निर्णय लिया जाता है।

2. उक्त तदर्थ शिक्षकों में से वैसे तदर्थ शिक्षक जिनका वेतन भुगतान भा० सर्वोच्च न्यायालय, नई दिल्ली में योजित सिविल अपील संख्या-8300/2016 संजय सिंह व अन्य वनाम उ०प्र० राज्य व अन्य में पारित आदेश दिनांक 26.08.2020 तक होता रहा है एवं उक्त आदेश दिनांक 26.08.2020 के कारण प्रभावित अथवा अवरुद्ध हुआ है. के अवशेष वेतन का भुगतान शासनादेश निर्गत होने की तिथि तक किये जाने की स्वीकृति एतद्वारा इस शर्त के अधीन प्रदान की जाती है कि उयत तिथि तक उनके द्वारा की गयी तदर्थ र्थ सेवायें सभी तथ्यों से प्रमाणित व सत्यापित्त हों।

3. उपर्युक्त परिधि में आने वाले वैरो तदर्थ शिक्षक, जिनकी कालान्तर में शिक्षण कार्य किये जाने / सेवावधि के दौरान आकस्मिक मृत्यु हो गयी हो, उनके वैध उत्तराधिकारी / नॉमिनी को मृत शिक्षक के शिक्षण कार्य किये जाने की अवधि तक के अवशेष वेतन का भुगतान विधिवत् रात्यापनोपरान्त किये जाने की स्वीकृति प्रदान की जाती है।

4. नियमानुसार प्रकियात्मक कार्यवाही सम्पन्न कर अवशेष वेतन के भुगतान की कार्यवाही शासनादेश निर्गत होने की तिथि से 30 दिवस के अन्तर्गत पूर्ण कर ली जायेगी। यदि उयक्त अवधि के अन्तर्गत अवशेष देयक का भुगतान सुनिश्चित नहीं किया जाता है तो सम्बन्धित का उत्तरदायित्व निर्धारित कर उसके विरुद्ध नियमानुसार विभागीय कार्यवाही की जायेगी।

5. अवशेष वेतन भुगतान करते समय आगणित धनराशि की शुद्धता की जाँच / परीक्षण कर लिया जायेगा। भुगतान करने से पूर्व यह भी सुनिश्चित कर लिया जाय कि प्रश्नगत शिक्षक द्वारा उक्त अवधि में शिक्षण कार्य किया गया हो और उक्त अवधि का वेतन भुगतान उसे नहीं किया गया हो।"

14. After the issuance of Government Order dated 09.11.2023, the Educational Authorities throughout the State proceeded to terminate the services of all the *ad hoc* appointees and teachers appointed against short term vacancy upto December 30, 2000 and their salary was stopped immediately.

15. Number of writ petitions were filed before this Court challenging the Government's action terminating their services and stopping the salary of such *ad hoc/ s*hort term appointees who were appointed upto December, 2000. By orders of this Court dated 04.01.2024, it was directed to the State authorities to release the salary of such *ad hoc* teachers and their services were not to be dispensed with without leaving of the Court. In the meantime, their papers were to be placed before Regional Regularization Committee for due consideration in accordance with Section 33-B, C, F and G. The said order is extracted hereas under:-

"1. All these five petitions captioned above are being taken up together as they involve same legal issue.

2. Heard learned counsel for the parties.

3. The controversy involved in these petitions have arisen on account of a Government Order issued by the State Government on 09.11.2023 which has been challenged in the other connected matters whereby the State Government has directed that in all those cases where the ad hoc teachers, though working, have not been found to be entitled to be regularized under Section 33-G of the U.P. Secondary Education Services Selection Board Act, 1982 (hereinafter referred to as 'Act of 1982'), their services may be dispensed with.

4. The argument advanced by learned Senior Advocate, Sri R.K. Ojha, for all the petitioners is that the education authorities have started acting on an executive fiat issued by the State Government under the said Government Order, by directing for termination of services of such ad hoc teachers even without looking into the matter as to whether their respective claims for regularization has been considered at all

previously or not. It is submitted that this approach of the Education Authorities in following the mandate contained in the Government Order without verifying the facts is absolutely an arbitrary exercise of discretion at their end. It is argued that petitioners in these cases have been working as ad hoc Assistant Teachers since 1997 as their source of appointments was the Second Removal of Difficulties Order, 1982 and Section 18 of the U.P. Secondary Education Services Selection Board Act, 1982 (Act No.5 of 1982), and, therefore, their claim for regularization was liable to be accorded due consideration in view of Section 33-G of the Act No.5 of Act of 1982 as according to him they fall within the zone of consideration.

5. Sri Ojha, learned Senior Advocate, has placed before this Court a circular letter issued by the Additional Director of Education (Secondary) directing all the Regional Joint Director of Education on 03.01.2024 to submit report regarding disposal of the matters of regularization under Section 33-G by 05.01.2024. It is submitted that no such exercise can be undertaken or completed within the short span of time as suggested in the circular letter. However, in matters where regularization has already taken place there is no need to furnish such report as those teachers have stood regularized. He submits that this letter is nothing but an eyewash to somehow delay the proceedings pending before this Court as there is no interim protection granted to such teachers. Learned Advocates appearing in the connected matters, have also placed a circular letter issued by the Joint Director of Education, 7th Region, Gorakhpur wherein the report has been called for with regard to the teachers , whether fall within the zone of consideration for regularization or not, otherwise those who are not covered, the action pursuant to the Government Order dated 09.11.2023 may take place.

6. Sri Ashok Khare, learned Senior Advocate who has also appeared not as a counsel in this case but in other identical matters, informs the Court that several petitions of identical nature were liable to come today but have not come on board on account of some technical glitch in computer system.

7. Sri R.C. Dwivedi, learned Advocate also prays the similar plea so as Mr. Adarsh Singh, Mr. Sankalp Narain, Sri Alok Dwivedi, Sri Gautam Baghel and some other advocates appearing in identical matters and they have taken the same plea that those matters may also be listed along with this petition as the law point being same.

8. They have pressed for their writ petitions being Writ -A Nos. 21361 of 2023, 21376 of 2023, 21332 of 2023, 21420 of 2023, 21398 of 2023, 21423 of 2023, 21402 of 2023, 21309 of 2023, 21383 of 2023, 21307 of 2023.

9. Sri Khare has further submitted that some of those petitioners and such other teachers are also seeking regularization under Section 33-B, C, F and G and so their services may also not be terminated.

10. It is also argued on behalf of the petitioners that in a matter of SLP arising out of a Division Bench judgment of this Court dated 30.03.2022 in Special Appeal (Defective) No. 103 of 2023 Supreme Court has noticed the direction for consideration of the State to undertake the exercise for regularization of eligible teachers under Section 33-G of Act No.05 of 1982, while dismissing the special leave petition.

11. Upon a pointed query being made to learned Additional Advocate for the State-respondents as to why the authorities are in such a hurry to call for such reports within three or four days as is reflected from the letter of the Additional Director (Secondary) U.P., learned Additional Chief Standing Counsel seeks time to verify the facts and Director of Education will certainly be ensuring that no illegality is committed.

12. This Court may grant time of course to verify the facts but the Court cannot be oblivious to the fact that these teachers have been working for petty long time and are now directed to be fired without notice. The Court is of prima facie view that their claim for regularization was liable to be considered in the first instance before taking any action pursuant to the Government Order dated 09.11.2023. The relevant paragraph no.4 of the Government Order dated 09.11.2023 is reproduced hereunder:

"4- अतः विषयगत सिविल अपील संख्या-8300/2016 संजय सिंह व अन्य वनाम उ०प्र० राज्य व अन्य एवं इससे सम्बन्धित मिसलेनियस अप्लीकेशन संख्या-818/2021 में मा० सर्वोच्च न्यायालय द्वारा पारित आदेश दिनांक 26.08.2020 एवं 07.12.2021 के आलोक एवं उपर्युक्त वर्णित स्थिति एवं तथ्यों के आधार पर मुझे निम्नवत् कहने का निदेश हुआ है:-

1. अशासकीय सहायता प्राप्त माध्यमिक विद्यालयों में कार्यरत ऐसे तदर्श शिक्षक , जिनकी नियुक्ति सीधी भर्ती द्वारा अल्पकालिक रिक्ति के सापेक्ष प्रवक्ता श्रेणी या प्रशिक्षित स्नातक श्रेणी में 07 अगस्त, 1993 को या उसके पश्चात किन्तु 25 जनवरी, 1999 के पश्चात नहीं, समय-समय पर यथासंशोधित उ०प्र० माध्यमिक शिक्षा सेवा आयोग (कठिनाईयों दूर करना) (द्वितीय) आदेश, 1981 के पैरा-2 के अन्तर्गत अनियमित रूप से की गयी है और उनका विनियमितीकरण नहीं किया गया है, की तदर्श सेवायें समाH किये जाने का निर्णय लिया जाता है।

अथवा

मौलिक रिक्ति के सापेक्ष प्रवक्ता श्रेणी या प्रशिक्षित स्नातक श्रेणी में सीधी भर्ती द्वारा 07 अगस्त, 1993 को या उसके पश्चात किन्तु 30 दिसम्बर, 2000 के पश्चात नहीं, धारा- 18 के अन्तर्गत अनियमित रूप से की गयी है और उनका विनियमितीकरण नहीं किया गया है, की तदर्थ सेवायें समाप्त किये जाने का निर्णय लिया जाता है।

अथवा

30 दिसम्बर, 2000 के पश्चात इण्टरमीडिएट शिक्षा अधिनियम, 1921 की धारा-16 (ई)-11 के अन्तर्गत की गयी है, की तदर्थ सेवायें समाप्त किये जाने का निर्णय लिया जाता है। I

2. उक्त तदर्थ शिक्षकों में से वैसे तदर्थ शिक्षक जिनका वेतन भुगतान मा० सर्वोच्च न्यायालय, नई दिल्ली में योजित सिविल अपील संख्या-8300/2016 संजय सिंह व अन्य बनाम उ०प्र० राज्य व अन्य में पारित आदेश दिनांक 26.08.2020 तक होता रहा है एवं उक्त आदेश दिनांक 26.08.2020 के कारण प्रभावित अथवा अवरूद्ध हुआ है, के अवशेष वेतन का भुगतान शासनादेश निर्गत होने की तिथि तक किये जाने की स्वीकृति एतद् द्वारा इस शर्त के अधीन प्रदान की जाती है कि उक्त तिथि तक उनके द्वारा की गयी तदर्श सेवायें सभी तथ्यों से प्रमाणित व सत्यापित हों।

3. उपर्युक्त परिशि में आने वाले वैसे तदर्श शिक्षक , जिनकी कालान्तर में सिदाण कार्य किये जाने/सेवावधि के दौरान आकस्मिक मृत्यु हो गयी हो, उनके वैध उत्तराधिकारी/ नॉमिनी को मृत शिक्षक के शिक्षण कार्य किये जाने की अवधि तक के अवशेष वेतन का भुगतान विधिवत् सत्यापनोपरान्त किये जाने की स्वीकृति प्रदान की जाती है।

4. नियमानुसार प्रक्रियात्मक कार्यवाही सम्पन्न कर अवशेष वेतन के भुगतान की कार्यवाही शासनादेश निर्गत होने की तिथि से 30 दिवस के अन्तर्गत पूर्ण कर ली जायेगी। यदि उक्त अवधि के अन्तर्गत अवशेप देयक का भुगतान सुनिश्चित नहीं किया जाता है तो सम्बन्धित का उत्तरदायित्व निर्धारित कर उसके विरुद्ध नियमानुसार विभागीय कार्यवाही की जायेगी।"

13. From the recitals as contained in the directives issued in Sub Clause-1 of Clause 4 of the Government Order, it is very much clear that the services of those Assistant Teachers or Lecturers as the case may be, are required to be dispensed with where their appointments have been found to be illegal/invalid not worth regularization. Meaning thereby there has to be a fact finding enquiry before such appointments are finally annulled.

14. Learned Senior Counsel for the petitioners submits that petitioners are not aggrieved by Clauses 2, 3 and 4 of the Government Order as they are not applicable to petitioners. Other learned Advocates have aggreed with Mr. Ojha. At this stage, it is relevant to reproduce the letter of the Regional Joint Director of Education, Gorakhpur dated 18.12.2023 which refers to a situation only where such regularization could not have been taken place for not falling within the zone of consideration for regularization. The relevant paragraph nos.1 and 2 of the order dated 18.12.2023 is reproduced hereunder:

"नियमानुसार प्रक्रियात्मक कार्यवाही सम्पन्न कर अवशेष वेतन के भुगतान की कार्यवाही शासनादेश निर्गत होने की तिथि से 30 दिवस के अन्तर्गत पूर्ण कर ली जायेगी। यदि उक्त अवधि के अन्तर्गत अवशेप देयक का भुगतान सुनिश्चित नहीं किया जाता है तो सम्बन्धित का उत्तरदायित्व निर्धारित कर उसके विरुद्ध नियमानुसार विभागीय कार्यवाही की जायेगी।"

15. Upon bare reading of these two above quoted paragraphs, it becomes very much clear that the exercise is yet to be undertaken to asses and analyze the fact position whether a particular teacher is entitled for regularization. Whether this process has undergone already or not is not clear at this stage, atleast from the above quoted Government Order and the circular letter. It is also reflected from the circular letter of the Regional Joint Director of Education (Secondary), U.P. Prayagraj which is issued on behalf of the Director of Education (Secondary) Prayagraj dated 03.01.2024 that the report has been called for. The entire letter dated 03.01.2024 is reproduced hereunder:

""प्रेषक,

शिक्षा निदेशक (माध्यमिक), उ०प्र० शिक्षा सामान्य (1) तृतीय अनुभाग प्रयागराज।
सेवा में,

समस्त मण्डलीय संयुक्त शिक्षा निदेशक, 2- समस्त जिला विद्यालय निरीक्षक, I उत्तर प्रदेश। उत्तर प्रदेश।

पत्रांक सामान्य (1) तृतीय / 18716/2023-24 दिनांक 03-01-2024

विषयः माननीय सर्वोच्च न्यायालय, नई दिल्ली में योजित विशेष अनुज्ञा याचिका-13023/2023 उत्तर प्रदेश सरकार व अन्य बनाम राघवेन्द्र प्रसाद पाण्डेय व अन्य में मान० सर्वोच्च न्यायालय द्वारा पारित आदेश दिनांक 17-7-2023 के अनुपालन के सम्बन्ध में।

विषयः माननीय सर्वोच्च न्यायालय, नई दिल्ली में योजित विशेष अनुज्ञा याचिका-13023/2023 उत्तर प्रदेश सरकार व अन्य बनाम राघवेन्द्र प्रसाद पाण्डेय व अन्य में मान० सर्वोच्च न्यायालय द्वारा पारित आदेश दिनांक 17-7-2023 के अनुपालन के सम्बन्ध में।

महोदय,

उपर्युक्त विषयक निदेशालय के पत्रांक सामान्य (1) तृतीय/14780-800/2023-24 दिनांक 30-8-2023 पत्रांक सामान्य (1) तृतीय/15252-71/2023-24 दिनांक 12-9-2023, पत्रांक सामान्य (1) तृतीय/16212/2023-24 दिनांक 17-10-2023 एवं पत्रांक सामान्य (1) तृतीय / 16788/2023-24 दिनांक 02-11-2023 का संदर्भ ग्रहण करने का कष्ट करें, जिसके द्वारा मान० सर्वोच्च न्यायालय में योजित विशेष अनुज्ञा याचिका-13023/2023 उत्तर प्रदेश सरकार व अन्य बनाम राघवेन्द्र प्रसाद पाण्डेय व अन्य में मान० सर्वोच्च न्यायालय द्वारा पारित आदेश दिनांक 17-7-2023 से आच्छादित एवं दिनांक 07 अगस्त, 1993 से दिनांक 30 दिसम्बर, 2000 तक नियुक्त समस्त शिक्षकों के विनियमितीकरण के प्रकरणों को भारा-33 (जी) के अन्तर्गत विभागीय नियमों/विनियमों के अन्तर्गत निस्तारित करते हुए कृत कार्यवाही की सूचना निदेशालय को उपलब्ध कराये जाने के निर्देश दिये गये थे, किन्तु वांछित आख्या/सूचना अद्यतन अप्राप्त है।

अतः प्रश्नगत प्रकरण में आपको पुनः निर्देशित किया जाता है कि अपने-अपने मण्डल से सम्बन्धित दिनांक 07 अगस्त, 1993 से दिनांक 30 दिसम्बर, 2000 के

मध्य नियुक्त समस्त शिक्षकों के विनियमितीकरण के प्रकरणों को धारा-33 (जी) के अन्तर्गत विभागीय नियमों/विनियमों के अन्तर्गत निस्तारित करते हुए निस्तारण आख्या संलग्न प्रारूप पर दिनांक 05-01-2024 को पूर्वान्ह 12.00 तक प्रत्येक दशा में निदेशालय प्रयागराज को हार्ड एवं सॉफ्ट कॉपी में उपलब्ध कराना सुनिश्चित करें।

उक्त के अतिरिक्त यह भी सुनिश्चित करें कि विनियमितीकरण से सम्बन्धित कोई भी प्रकरण शेष नहीं रह गया है। विनियमितीकरण से सम्बन्धित कोई भी प्रकरण शेष रहने की दशा में सम्पूर्ण उत्तरदायित्व सम्बन्धित मण्डलीय / जनपदीय अधिकारी का होगा। साथ ही यह भी निर्देशित किया जाता है कि विनियमितीकरण से सम्बन्धित वादों में मान० उच्च न्यायालय / सर्वोच्च न्यायालय द्वारा अन्यथा कोई आदेश पारित किया गया हो, तो तत्काल विधिक कार्यवाही करना सुनिश्चित करें।

संलग्नक-उक्तवत्

भवदीय

ह० अप०

(सुरेन्द्र कुमार तिवारी)

अपर शिक्षा निदेशक (माध्यमिक)

उत्तर प्रदेश।""

16. Upon reading of the aforesaid circular letter of the Regional Joint Direction of Education (Secondary) this is again very much clear that the Education authorities are not themselves sure about the status of such teachers as to the legality of their appointments and their claim for regularization, if any, pending or disposed of. The papers are not with the authorities so as to form a view whether at any point of time the claim for regularization was accorded reconsideration or not. The manner in which the report has been called for within three days to complete the formalities, does appear, as has been argued by learned Senior Advocate, to be an eyewash. The teachers have been working in the institution for the last more than two decades and any sudden termination of service by an executive fiat would not only cause adverse civil consequences but would also be adversely affecting the academic activities in the respective institutions. Exercising my equitable jurisdiction under Article 226 of the Constitution if I do not arrest the situation at this stage, in my considered view, it will lead to a serious miscarriage of justice.

17. The situation qua regularization of teachers working in the Colleges, whether Assistant Teachers or Lecturers, have gone controversial only on account of certain matters pending before the Court or on account of inaction on the part of concerned education authorities even after the papers were processed by the Committee of Management through the District Inspector of Schools. It is admitted to the parties that the Regional Selection Committee headed by the Regional Joint Director of Education is the only Selection Committee

for the purposes of consideration of regularization under the relevant provisions under Section 33, B, C, F, G of the Act No. 5 of 1982, as the case may be.

18. In the circumstances, therefore, it is hereby provided that the Director of Education (Secondary), Prayagraj shall be issuing necessary circular letter to the Regional Director of Education (Secondary) within three days asking them to inform District Inspector of Schools of each districts of the State to ensure that the papers regarding appointments and working of such Assistant Teachers who claim regularization or who were the applicants for the regularization are processed within a week's time to be placed before the Regional Selection Committee however, in cases where the papers have been processed, the Regional Selection Committee shall proceed to examine them and in all such cases including cases where teachers are working at the strength of interim order of this Court, if they come within the zone of regularization in view of Section quoted herein above, their claims shall be considered in accordance with law by the Regional Selection Committee and final orders shall be passed in each case and final report regarding the same shall be submitted within a month to the Director of Education (Secondary) to be placed before the Court.

19. The Regional Selection Committee shall not wait for any case in which the papers are not processed and Regional Joint Director of Education (Secondary), Chairman of the Committee shall submit the report. If the teachers and Committee of Management do not come forward it will remain open for the Regional Selection Committee to proceed in accordance with law and submit report in that regard as well. The pending cases in matters of teachers working at the strength of interim order will not deter the selection committee in forwarding report regarding regularization.

20. The Director of Education (Secondary) shall also submit his ultimate covering report annexing reports of Regional Joint Directors of Education, regarding proposed action to be taken if there are cases of invalid appointments and can be said to be covered under the Government Order dated 09.11.2023. The report shall be submitted by the Director by the next date fixed.

21. In the meanwhile until further orders it is also provided that services of such ad hoc teachers will not be dispensed with without leave of the Court. They shall be continued to perform duties and paid salary.

22. It is clarified that this order will operate only in respect of all those teachers who have been appointed under the Second Removal of Difficulties Order framed under the Act No.5 of 1982 Act and Section 18 of the said Act and Rule 15 of U.P. Secondary Education Services Commission Rules 1995 and are seeking regularization taking aid of Section 33-B, C, F and G of the Act of 1982.

23. List these cases on 14.03.2024. ”

16. It appears that after the interim order was granted by this Court and direction was issued to the Regional Regularization Committee, matters were taken up by the State authorities for due consideration of the candidature of various teachers who were working on *ad hoc* basis or against short term vacancy upto 2000 and were getting salary from the State exchequer.

17. Their claims had been rejected by the Regularization Committee on various grounds, such as the papers were not forwarded by the Management Committee as to the short term vacancy which was created and thereafter, it was converted into substantive vacancy and the necessary requirement under the Act was not applied by the Management. The Selection Committee proceeded to reject many of the claims for regularization on the basis that the adhocism was to end in view of the judgment rendered by Hon’ble Apex Court in case of **Sanjay Singh (supra)** and the Government Order dated 09.11.2023 did not grant any benefit to such *ad hoc* appointees.

18. Such candidates filed fresh petitions, which are tagged with these cases. On 05.09.2024, the Court requested the State to deal with the two issues separately one with regard to appointments made prior to December 30, 2000, which are to be dealt in accordance with Section 33-B, C, F and G. Appointments falling after 2000 to be considered in light of decision in **Sanjay Singh (supra)**.

19. The Government Order dated 09.11.2023 had also mixed up the two issues and gave impression that all those candidates who were appointed prior to December 30, 2000 and were getting salary from the State Exchequer, after the due approval by educational authorities, are also not entitled for regularization and the judgment rendered on 26.08.2020 by the Apex Court applies upon them also.

20. The Court required the State to come out with a clear policy and separate the two issues, one in regard to regularization of all those candidates who were appointed prior December 30, 2000 and those teachers who were appointed post 2000. The State Government sought time for issuing clarification in regard to the same.

21. On 27.09.2024, Additional Chief Secretary (Secondary) filed his personal affidavit wherein it has been stated that the Government Order dated 09.11.2023 has been clarified and now all those *ad hoc* appointees prior to December 30, 2000 are entitled for their salary post 09.11.2023 till consideration of regularization under the relevant provisions by the Regional Regularization Committee. The clarification was issued by the State Government on 26.09.2024, which was brought on record through the affidavit and relevant paragraphs 6 is extracted hereas under:-

> "विषयांकित रिट याचिका में मा० न्यायालय द्वारा पारित आदेश दिनांक-04.01.2024, 03.09.2024, 05.09.2024 एवं 20.09.2024 के समादर में शासनादेश संख्या- 2373/15-05-2023-1601 (696)/2019, दिनांक-09.11.2023 में उल्लिखित अंश "दिनांक-30 दिसम्बर, 2000 के पश्चात् इण्टरमीडिएट शिक्षा अधिनियम, 1921 की धारा-16 (ई) 11 के अन्तर्गत नियुक्त किये गये तदर्थ शिक्षकों की सेवायें समाप्त किये जाने का निर्णय लिया जाता है" को यथावत् बनाये रखते हुए शासनादेश में उल्लिखित शेष अन्य वातों के स्थान पर यह अंश रखा जाता है कि दिनांक 30 दिसंबर, 2000 तक के तदर्थ शिक्षक, जो समय-समय पर प्राविधानित/अधिनियमित्त नियमों/अधिनियमों / धाराओं के अन्तर्गत राहायक अध्यापक अथवा प्रवक्ता के पद पर नियुक्त किये गये हैं, को विषयगत रिट याचिका में मा० न्यायालय द्वारा पारित आदेश दिनांक 04:01:2024 एवं मा० सर्वोच्च न्यायालय में योजित विशेष अनुज्ञा याचिका संख्या-13023/2023 उ० प्र० राज्य व अन्य बनाम राघवेन्द्र प्रसाद पाण्डेय व अन्य में गा० सर्वोच्च न्यायालय द्वारा पारित आदेश दिनांक-17.07.2023 के अनुपालन में उनके विनियमितीकरण प्रकरण के निस्तारण की तिथि तक वेतन भुगतान किया जाना सुनिश्चित किया जाता है। वेतन भुगतान किये जाने से पूर्व संस्था में उनकी कार्यरतता का सत्यापन अवश्य कर लिया जाय। जितनी अवधि की कार्यरतता सत्यापित होती है, उतनी ही अवधि का वेतन भुगतान किया जाय।

तद्नुसार शासनादेश संख्या-2373/15-05-2023-1601 (696)/2019, दिनांक-09.11.2023 को उक्त सीमा तक संशोधित समझा जाय। अतः इस सम्बन्ध में मुझे यह कहने का निदेश हुआ है कि कृपया विषयांकित प्रकरण में तद्नुसार कार्यवाही 01 माह में सुनिश्चित कराते हुए विनियमितीकरण के अनिस्तारित समस्त प्रकरणों को सम्यक विचारोपरांत प्रत्येक दशा में 25 दिवरा के अन्दर निस्तारित किये जाने हेतु सक्षम प्राधिकारी / मण्डलीय समिति को निर्देशित करने का कष्ट करें। उक्त के अतिरिक्त यह भी निर्देशित किया जाता है कि विनियमितीकरण के निस्तारित प्रकरणों का विवरण निस्तारण आदेश की प्रति के साथ 07 दिवस में शासन को भी उपलब्ध कराना सुनिश्चित करें।

भवदीय,

(दीपक कुमार)

अपर मुख्य सचिव।"

22. On the joint request of counsel for both the parties, this bunch of petitions is being heard and decided finally today. Sri Anil Tiwari, learned Senior Counsel had intervened on behalf of *ad hoc* appointees appointed post 2000, and submitted that the decision rendered in this case may not effect the case of regularization of such appointments and may be dealt on different pedestal.

23. Heard Sri Ashok Khare, Sri R.K. Ojha, Sri V.K. Singh, learned Senior Counsel along with Sri Lokesh Dwivedi, Sri I.R. Singh, Sri Vinod Kumar Singh, Sri R.C. Dwivedi, Sri Rahul Jain, Sri Prabhakar Awasthi, Sri Shivendu Ojha, Sri Rajnish Kumar Srivastava, Sri Vimal Jain, Sri Dev Prakash Singh, Sri Vijay Shankar Rai, Smt. Manisha Singh, Sri Parmatma Nand Yadav, Sri Sunil Kumar Pandey, Sri Lalji Yadav, Sri Chitrasen Singh, Sri Prabhat Kumar Singh and Sri Rakesh Pratap Singh, learned counsel for the petitioner and Sri Ajeet Singh Kumar Singh, learned Additional Advocate General along with Sri J.N. Maurya, learned Chief Standing Counsel, Sri Amit Verma, Sri Suarabh, Sri Ankit Gaur, learned Standing Counsel for the State.

24. It is an admitted fact in the State that adhocism has been going on for last 40 years in the aided Institutions. The Government from time to time had inserted various provisions in the Act of 1982 for regularising the services of teachers who were appointed either on *ad hoc* basis or against a short term vacancy. The candidates had been litigating the matter before this Court either for getting their salary post appointment, or for getting their services regularised. Many of the candidates have been working in these aided Institutions for a long time on the basis of interim order granted by this Court.

25. The last of the provision which was inserted in the Act of 1982 was Section 33-G which has provided the cut off date as 30.12.2000 for consideration of regularization of services of such *ad hoc*/ short term teachers. The State authorities had proceeded not to accord consideration for all these teachers who were appointed between the cut off date of 1985 to 2000 on the ground that the adhocism was to end in the State as mandated by Hon'ble Apex Court on 26.08.2000.

26. Many candidates who were appointed prior to 2000 had been litigating both before this Court and Lucknow Bench of this Court. One such matter in regard to regularization under Section 33-G came up before Lucknow Bench of this Court in case of **Raghvendra Prasad Pandey (supra)**. The matter had finally concluded by decision of Hon'ble Apex Court on 17.07.2023.

27. According to learned Additional Advocate General, the decision in **Raghvendra Prasad Pandey (supra)** was applicable in a particular case but the State is now proceeding to adopt for all the candidates who were appointed between the cut off date as mentioned in 33-G and their regularization will be undertaken by regularization Committee within the time prescribed.

28. The two issues, one the appointment on *ad hoc* basis post 2000 and those appointments prior to 2000 have to be dealt with separately by State

authorities keeping in mind the two decisions of Hon'ble Apex Court, one rendered in case of **Sanjay Singh (supra)**, and the other in case of **Raghvendra Prasad Pandey (supra)**.

29. The Government Order of 09.11.2023 had created the entire chaos in the State of U.P. as far as regularization of candidates appointed prior to 30.12.2000. In these bunch of cases, the Court found that the action of State terminating services and stopping salary on 09.11.2023 was against the statutory provisions as well as the dictum of Hon'ble Apex Court.

30. On 26.08.2020, the Hon'ble Apex Court never intended to stop the salary of those candidates who were appointed prior to 30.12.2000 as Section 33-B, 33-C, 33-F and 33-G clearly provided for regularization of all the teachers appointed between the date given in the said sections if the procedure provided therein was complied with.

31. The Government Order of 09.11.2023 was issued on a wrong premise and the Government had never taken any stand before the Hon'ble Apex Court in case of **Sanjay Singh (supra)** that the adhocism was to end for the candidates who were appointed prior to 2000 and neither the State had brought to the notice of Hon'ble Apex Court the provisions of Section 33-B, C, F and G.

32. The counter affidavit filed by State in S.L.P. of **Sanjay Singh (supra)** has been placed before this Court on previous date which is on record. In para no.5 of counter affidavit filed by Special Secretary, Secondary Education, Government of U.P., it has been stated that "from time to time the *ad hoc* teachers appointed under Removal of Difficulties Order have been regularised under Section 33 of the UP Secondary Education Services Selection Board Act 1982. To sort out the issue *ad hoc* appointments made by management, regularization Rules were framed in the year 2001. Further Section 33 F was also inserted in 1982 Act in which provision has been made for regularization of teachers appointed by promotion, direct recruitment on *ad hoc* basis against short term

vacancy or substantive vacancy between 7/08/1993 to 30/12/2000. After 2000, State Government has regularised 670 *ad hoc* teachers whose appointment was done following prescribed procedure." Further, in para no. 6, it has been stated that "the Appellants have been illegally appointed by the Committee of Management after 30 December 2000."

33. It is thus clear that the State has accepted before the Hon'ble Apex Court that regularization has been undertaken under Section 33 and case of **Sanjay Singh (supra)** does not fall for consideration under Section 33 as he was appointed after 2000.

34. The State should not have mixed the two issues of Sanjay Singh and regularization to be undertaken under Section 33, which has resulted into unnecessary litigation before this Court and has caused financial hardship to the petitioners for no fault of theirs.

35. The State has corrected its stand on 26.09.2024 and has issued a clarification, clarifying the Government Order dated 09.11.2023.

36. Now, this Court is faced with the task of considering each and individual case on merits, as in most of cases, the regularization Committee has proceeded to reject the regularization of candidates basically on the ground that relevant documents were not placed before it when due consideration was accorded. In many cases, termination has taken place on the basis of Government Order dated 09.11.2023.

37. Sri Ajit Singh, learned Additional Advocate General appearing for the State has clearly conceded to the fact that all those matters which have been rejected by regularization Committee on the basis, that interim order was operating and cannot be considered in terms of Section 33-G(8) needs fresh consideration in the light of the conditions mentioned in the said provisions. Section 33-G(8) provides as under:-

> *"Adhoc teachers, who have not been appointed either in accordance with the Uttar Pradesh Secondary Education Services Commission (Removal of Difficulties) Order, 1981 or in accordance with Section 18 of the Uttar Pradesh Secondary Education Services Selection Board*

Act, 1982 and are otherwise getting salary only on the basis of Interim/ Final orders of the Court shall not be entitled for regularization."

38. In view of statutory provisions, following writ petitions are allowed and the orders impugned in these writ petitions are set aside.

Writ-A No.(s)-

5805/2024, 7890/2024, 8218/2024, 5886/2024, 6015/2024, 9025/2024, 5737/2024, 6403/2024, 6022/2024, 7441/2024, 7611/2024, 1074/2024, 4250/2024, 4088/2024

39. The matter is remitted back to Regional regularization Committee for according fresh consideration keeping in mind the ingredients of sub-Section (8) of Section 33-G before passing order for regularization.

40. A list of cases has been provided by learned Additional Advocate General contending that in these writ petitions, the Government Order dated 09.11.2023 is only under challenge and prayer has been made for making payment of salary to petitioners.

41. According to him, the writ petitions have become infructuous after the Government Order dated 09.11.2023 has been clarified on 26.09.2024 and State Government has undertaken to give salary to all these candidates whose matter is under consideration for regularization. He further contends that all these petitioners of writ petitions are entitled for salary till their claim for regularization is decided.

42. In all these matters the prayer has also been made for seeking a direction upon the State authorities to consider the claim for regularization which is pending consideration.

43. As the claim for regularization till date has not been considered, these writ petitions are being disposed of with a direction to the authorities to decide the claim within a period of six weeks. It is further made clear that as far as challenge to the Government order dated 09.11.2023 has been made, that has become infructuous in view of the clarification issued by the State Government on 26.09.2024.

“**Writ-A No(s).-**

1671/2024, 1799/2024, 20881/2023, 2067/2024, 2307/2024, 1536/2024, 1855/2024, 2036/2024, 21205/2023, 2969/2024, 541/2024, 626/2024, 1055/2024, 1079/2024, 1121/2024, 2915/2024, 945/2024, 2896/2024, 2925/2024, 2445/2024, 2930/2024, 1139/2024, 1255/2024, 544/2024, 1132/2024 20150/2023, 20698/2023, 599/2024, 773/2024, 1234/2024, 3582/2024, 1242/2024, 740/2024, 748/2024, 17168/2023, 8532/2024, 20558/2023, 391/2024, 21492/2023, 1984/2024, 1105/2024, 1112/2024, 1118/2024, 1125/2024, 1145/2024, 1153/2024, 1155/2024, 1231/2024, 1245/2024, 1250/2024, 1262/2024, 1273/24, 1288/2024, 1291/2024, 1329/2024, 1358/2024, 1380/2024, 1524/2024, 1551/2024, 1575/2024, 1659/2024, 1675/2024, 1709/2024, 1731/2024, 1736/2024, 1739/2024, 1750/2024, 1759/2024, 1798/2024, 2009/2024, 1648/2024, 2089/2024, 2092/2024, 21034/2023, 21309/2023, 2143/2024, 2147/2024, 2154/2024, 2164/2024, 2187/2024, 2189/2024, 2191/2024, 2354/2024, 2360/2024, 2399/2024, 2413/2024, 2422/2024, 2454/2024, 2458/2024, 2460/2024, 2469/2024, 2476/2024 2511/2024, 2528/2024, 2617/2024, 2679/2024, 2681/2024, 2714/2024, 2757/2024, 2780/2024, 2813/2024, 2873/2024, 2875/2024, 2886/2024, 293/2024, 2937/2024, 2938/2024, 294/2024, 2944/2024, 3064/2024, 3116/2024, 3179/2024, 3224/2024, 3277/2024, 402/2024, 4033/2024, 4224/2024, 478/2024, 561/2024, 630/2024, 635/2024, 643/2024, 667/2024, 681/2024, 697/2024, 751/2024, 772/2024, 844/2024, 852/2024, 908/2024, 1700/2024, 20667/2023, 20704/2023, 2349/2024, 397/2024, 624/2024, 826/2024, 1410/2024, 863/2024, 21600/2023, 584/2024, 2406/2024, 2933/2024, 419/2024, 533/2024, 20802/2023, 21695/2023, 20802/2023, 2393/2024, 594/2024, 1001/2024, 1088/2024,

1144/2024, 1221/2024, 1237/2024, 1316/2024, 1715/2024, 20700/2023, 21307/2023, 2430/2024, 2905/2024, 468/2024, 21228/2023, 695/2024, 1078/2024, 1173/2024, 1229/2024, 1446/2024, 21689/2023, 21763/2023, 556/2024, 655/2024, 709/2024, 732/2024."

44. However, leaving it open to petitioners of these writ petitions to assail order passed by Regional Regularisation Committee through separate writ petitions in case their claim is turned down.

Writ-A No. 2244 of 2024

45. Sri R.K. Singh Kaushik, learned counsel for petitioner submitted that Writ Petition No. 2244 of 2024 has also become infructuous as only Government Order dated 09.11.2023 was under challenge.

Writ-A No. 4406 of 2024

46. Sri Rajneesh Kumar Singh, learned counsel for petitioner submitted that Writ Petition No. 4406 of 2024 has also become infructuous as only Government Order dated 09.11.2023 was under challenge.

Writ-A No. 1906 of 2024, 1920 of 2024 and 2264 of 2024

47. Sri Rajnish Kumar Srivastava, learned counsel for petitioner submitted that Writ Petition No. 1906 of 2024, 1920 of 2024 and 2264 of 2024 have also become infructuous as only Government Order dated 09.11.2023 was under challenge.

Writ-A No. 20456 of 2023

48. Sri Tanuj Shahi, learned counsel for petitioner states that his writ petition has become infructuous as only Government Order dated 09.11.2023 was under consideration. He further submits that his claim for regularisation has been accepted by Regional Regularisation Committee on 03.02.2024.

Writ-A No. 7661 of 2024

49. Sri Siddharth Khare, learned counsel for petitioner submitted that Writ Petition No. 7661 of 2024 has also become infructuous as only Government Order dated 09.11.2023 was under challenge.

Writ-A No. 21383 of 2023

50. Sri R.C. Dwivedi, learned counsel for petitioner submitted that Writ Petition No. 21383 of 2023 has also become infructuous as only Government Order dated 09.11.2023 was under challenge.

Writ-A No. 2472 of 2024, 3244 of 2024, 3283 of 2024

51. Sri D.P. Singh, learned counsel for petitioner states that these writ petitions have become infructuous as only Government Order dated 09.11.2023 is under challenge in these petitions and a prayer has been made for seeking direction upon Regularisation Committee to accord due consideration in terms of Section 33-B, C and G of the Act of 1982 as the Government Order has already been modified.

52. In view of above, the writ petition is disposed of directing the Regularisation Committee to accord fresh consideration to the claim of petitioners, within a period of six weeks from the date of this order.

Writ-A No. 20162 of 2023

53. Sri Gautam Baghel, learned counsel for petitioner states that writ petition has also become infructuous as the Government Order dated 09.11.2023 has been clarified on 26.09.2024.

Writ-A No. 21204 of 2023

54. Sri Mahesh Sharma, learned counsel for petitioner states that writ petition has also become infructuous as the Government Order dated 09.11.2023 has been modified on 26.09.2024.

Writ-A No. 507 of 2024

55. Sri Ratnakar Upadhyay, learned counsel for petitioner states that the writ petition has also become infructuous as Government Order dated 09.11.2023 was under challenge and the same has been modified on 26.09.2024.

Writ-A No. 3046 of 2024, 3049 of 2024, 3105 of 2024, 3205 of 2024

56. Sri Prabhat Kumar Singh, learned counsel for petitioner submitted that Writ Petition No. 3046 of 2024, 3049 of 2024, 3105 of 2024, 3205 of 2024 have also become infructuous as only Government Order dated 09.11.2023 was under challenge.

Writ Petition No. 21492 of 2023 along with Writ Petition No. 5731 of 2024

57. Petitioner in Writ Petition No.21492 of 2023 has challenged the action of D.I.O.S. whereby his salary has been stopped pursuant to Government Order dated 09.11.2023. As the Government Order has been clarified on 26.09.2024, the said writ petition has become infructuous and petitioner is entitled for payment of his salary in terms of clarification dated 26.09.2024 till his matter for regularization is considered by Committee, within six weeks.

58. As far as Writ Petition No. 5731 of 2024 is concerned, from perusal of the order impugned dated 10.02.2024 rejecting the regularization on the ground that the petitioner was working on *ad hoc* basis and was getting salary and not entitled for regularization is not sustainable as it is clear that his appointment was against a short term vacancy which had become substantive vacancy.

59. In the earlier round of litigation, this Court on 15.03.2002 while allowing Writ Petition No. 35756 of 1997 had required the authorities to grant approval on the short term vacancy. The regularization Committee

was not correct to record the finding on 10.02.2024. The order is hereby set aside.

60. The matter is again remanded back to Committee for consideration afresh in the light of the provisions of Section 33-G keeping in mind the appointment of petitioner against a short term vacancy and requirement having been fulfilled in terms of conditions laid down in the said provision.

Writ – A No.2365 of 2024

61. This writ petition assails the Government Order dated 09.11.2023 and also the subsequent action of District Inspector of Schools stopping payment of salary to the petitioner and removing him from the post of Assistant Teacher.

62. The claim of the petitioner is that he was appointed prior to 2000.

63. This Court on 19.02.2024 had granted an interim order providing continuation of the petitioner in the institution and payment of salary.

64. The State Government had clarified the Government Order dated 09.11.2023 on 26.09.2024 stating that till the claim of regularization is decided by the Committee, the candidate shall be entitled for payment of salary.

65. In view of the clarification, the writ petition has become infructuous. Since the claim of petitioner for regularization has not been undertaken by the Regularization Committee, the same shall be completed within a period of six weeks from today. The petitioner shall be entitled for salary from 09.11.2023 till the final decision is taken by the Regional Regularization Committee.

Writ – A No.3598 of 2024

66. Learned counsel for the petitioner fairly states that the Government Order dated 09.11.2023 was under challenge and as the same has been clarified on 26.09.2024, the writ petition has become infructuous.

67. In view of the statement so made by counsel for the petitioner, the writ petition is dismissed as infructuous.

Writ – A No.3734 of 2024

68. The Regional Regularization Committee by the impugned order dated 03.02.2024 has rejected the claim for regularization on the ground that the Regional Committee had approved the promotion of the petitioner on 21.6.2008 and his initial appointment has not been regularized as such the benefit could not be accorded to him. The Committee further observed that Writ Petition No.29656 of 2001, which was filed by the petitioner, was withdrawn on 20.11.2010.

69. Learned counsel for the petitioner submits that initially Writ-A No.39906 of 1998 was filed wherein question was raised as to the entitlement of salary from the date of joining or from the date of issuance of approval order by the District Inspector of Schools. The writ petition was allowed on 15.09.2011 and the Court found that the petitioner was entitled to salary from the initial date of his joining and the approval i.e. 20.08.1994. According to him, there is no question of again considering the approval and cancelling earlier approval. According to him, the matter regarding his promotion was before the Regional Committee for consideration who had promoted him to the post of Lecturer on 21.06.2008. The said action of the previous officer cannot be questioned after twenty years.

70. This Court finds that the initial approval was under challenge before this Court and the Court on 15.09.2011 had found that the earlier approval order, which was modified on 29.09.1998, was not in consonance and quashed the same and the petitioner was held entitled for salary from 20.08.1994.

71. This Court finds that the findings recorded by the Regional Regularization Committee is against the material on record. Both the orders dated 3.2.2024 and 2.3.2024 are hereby quashed and the matter is

remitted back to the Regional Regularization Committee for consideration afresh, in the light of the observations made above.

Writ – A No.3757 of 2024

72. The order dated 03.2.2024 passed by Regional Regularization Committee rejecting the claim of the petitioner is questioned on the ground that pursuant to the order dated 24.4.1996 passed in Civil Misc. Writ Petition No.14137 of 1996, financial approval order was passed by the District Inspector of Schools on 28.06.1996 releasing the salary of the petitioner along with five other teachers. The Regularization Committee had found that the papers were fabricated by the Committee of Management and the said appointment could not have taken place and had refused to regularized the service in terms of provisions of Section 33-G.

73. Learned Standing Counsel has submitted that once it was found that the papers were forged in regard to the approval, no order can be passed.

74. From perusal of the findings recorded by the Regional Regularization Committee, this Court finds that the only reason assigned is that the order granting financial approval was passed in 1996 on the basis of forged and fabricated documents. The order of the writ Court dated 24.04.1996 was never challenged by the State in special appeal. It was in pursuance of the said order of the writ petition that the District Inspector of Schools had passed the order of approval on 28.06.1996. The Regularization Committee has to adhere to the provisions of Section 33-G and cannot travel beyond the scope of statutory provisions.

75. In view of the said fact the order dated 03.02.2024 (Annexure 1 to the writ petition) is hereby quashed and the matter is remitted back to the Regional Regularization Committee to accord fresh consideration in regard to the statutory provisions.

Writ – A No.3841 of 2024

76. The order dated 03.2.2024 passed by Regional Regularization Committee rejecting the claim of the petitioner is questioned on the ground that pursuant to the order dated 24.4.1996 passed in Civil Misc. Writ Petition No.14117 of 1996, approval order was passed by the District Inspector of Schools on 28.06.1996 releasing the salary of the petitioner along with five other teachers. The Regularization Committee had found that the papers were fabricated by the Committee of Management and the said appointment could not have taken place and had refused to regularized the service in terms of provisions of Section 33-G.

77. Learned Standing Counsel has submitted that once it was found that the papers were forged in regard to the approval, no order can be passed.

78. From perusal of the findings recorded by the Regional Regularization Committee, this Court finds that the only reason assigned is that the order granting approval was passed in 1996 on the basis of forged and fabricated documents. The order of the writ Court dated 24.04.1996 was never challenged by the State in special appeal. It was in pursuance of the said order of the writ petition that the District Inspector of Schools had passed the order of approval on 28.06.1996. The Regularization Committee has to adhere to the provisions of Section 33-G and cannot travel beyond the scope of statutory provisions.

79. In view of the said fact the order dated 03.02.2024 (Annexure 1 to the writ petition) is hereby quashed and the matter is remitted back to the Regional Regularization Committee to accord fresh consideration in regard to the statutory provisions.

Writ – A No.3802 of 2024

80. The petitioner through this writ petition has questioned the order of Regional Regularization Committee dated 03.02.2024 whereby the claim of the petitioner has been rejected.

81. According to the petitioner, earlier in the year 2005 he had approached this Court through Writ Petition No.37634 of 2005 questioning the decision of District Inspector of Schools whereby the approval was rejected. The writ Court on 16.04.2007 had quashed the order and remitted back the matter for reconsideration. Again, the approval was not granted and the petitioner filed Writ-A No.70271 of 2010. On14.07.2014 the writ petition was again allowed and the matter was remitted back for consideration in the light of judgment of Division Bench rendered in case of **Daya Shanker Mishra vs. District Inspector of Schools and others, 2011(1) ESC 221**.

82. The approval was granted on 26.09.2014 by the District Inspector of Schools, Gorakhpur. The Committee had proceeded to hold that compliance of Section 18 as also Section 33G(8) of U.P. Secondary Education Service Selection Board Act, 1982 has not been done as such the regularization order cannot be passed.

83. This Court finds that the petitioner was appointed against short term vacancy on 08.02.1999 and he was working for last 25 years. The order dated 03.02.2024 does not take into consideration the earlier order passed by writ Court and that he was already granted approval on 26.09.2014. The interim order, if any, passed during pendency of the writ petition, would not disentitle the petitioner from the benefits of regularization under Section 33-G(8), in case the statutory condition as laid down in sub-section (8) of Section 33-G is complied with.

84. In view of the said fact, the order dated 03.02.2024 is hereby quashed. The matter is remitted back to the Regional Regularization Committee to accord fresh consideration considering all the earlier round of litigation as well as statutory provision contained in Section 33-G(8). It is further directed that Committee shall not raise unnecessary technical issue as the petitioner has already worked for about 25 years and have been paid salary.

Writ – A No.3803 of 2024

85. The petitioner through this writ petition has questioned the order of Regional Regularization Committee dated 03.02.2024 whereby the claim of the petitioner has been rejected.

86. According to the petitioner, earlier in the year 2005 he had approached this Court through Writ Petition No.20511 of 2006 questioning the decision of District Inspector of Schools whereby the approval was rejected. The writ Court on 16.04.2007 had quashed the order and remitted back the matter for reconsideration. Again, the approval was not granted and the petitioner filed Writ-A No.60434 of 2010. On 12.11.2014 the writ petition was again allowed and the matter was remitted back for consideration in the light of judgment of Division Bench rendered in case of **Daya Shanker Mishra vs. District Inspector of Schools and others, 2011(1) ESC 221**.

87. The financial approval was granted on 17.12.2014 by the District Inspector of Schools, Gorakhpur. The Committee had proceeded to hold that compliance of Section 18 as also Section 33-G(8) of U.P. Secondary Education Service Selection Board Act, 1982 has not been done as such the regularization order cannot be passed.

88. This Court finds that the petitioner was appointed against short term vacancy on 08.02.1999 and he was working for last 25 years. The order dated 03.02.2024 does not take into consideration the earlier order passed by writ Court and that he was already granted financial approval on 17.09.2014. The interim order, if any, passed during pendency of the writ petition, would not disentitle the petitioner from the benefits of regularization under Section 33-G(8), in case the statutory condition as laid down in sub-section (8) of Section 33-G is complied with.

89. In view of the said fact, the order dated 03.02.2024 is hereby quashed. The matter is remitted back to the Regional Regularization Committee to accord fresh consideration considering all the earlier round

of litigation as well as statutory provision contained in Section 33-G(8). It is further directed that Committee shall not raise unnecessary technical issue as the petitioner has already worked for about 25 years and has been paid salary.

Writ-A No. 3868 of 2024

90. Petitioner before this Court has been denied regularization pursuant to the order dated 17.02.2024 on the ground that compliance of Section 18 of the Act of 1982 was not done by Committee of Management while making his appointment against a vacancy which had occurred in the year 1990.

91. According to petitioner's counsel, petitioner was appointed on 12.12.1990 and financial approval was granted on 07.08.1991. Petitioner had worked almost 33 years and had already attained the age of superannuation on 31.03.2024. The denial of regularization, at fag end of his service, is without following the procedure as laid down in Section 33-B of the Act of 1982.

92. Learned Standing Counsel has submitted that the procedure as prescribed under Section 18 of the Act of 1982 was not followed by Committee of Management, as such, regularization order could not have been passed.

93. I have heard learned counsel for parties and perused the order rejecting the claim of petitioner which is a one paragraph order. From perusal of the same it appears that publication made in terms of Section 18 was not in accordance with the rules and necessary requisition was not sent to Selection Board by Committee of Management.

94. Petitioner cannot be faulted for non-compliance, if any, of Committee of Management after 33 years. Statutory provisions of Section 33-B of the Act of 1982 provides for granting regularization in case of those who were appointed between the period given in the said regularization provision. Petitioner falls under the zone of consideration

and by an innocuous order his claim has been rejected by the regularization committee. This Court finds that petitioner had worked for almost 33 years and attained the age of superannuation on 31.03.2024 and by an innocuous order his claim for regularization has been rejected.

95. On due consideration of aforesaid, the matter is remitted to Regional Regularization Committee to accord fresh consideration, in accordance with law, after considering the provision of Section 33-B of the Act of 1982 and by taking a lenient view as petitioner had worked for almost 33 years and had already stood retired on 31.03.2024.

Writ Petition No. 4049 of 2024

96. It is contended on behalf of petitioner that the claim for regularization has been rejected vide order dated 03.02.2024 solely on the ground that the petitioner is continuing on the basis of interim order granted in special appeal and thus his services cannot be regularised in view of Section 33-G.

97. According to petitioner counsel, the ingredients of sub-Section (8) of Section 33-G was not considered by regularization Committee while deciding the claim.

98. Reliance has been placed upon decision of co-ordinate Bench rendered in case of **Vijay Shyam Dwivedi vs. State of U.P. and 3 others, Writ - A No. - 22154 of 2018**, decided on 22.10.2018 wherein the Court held that while considering the provisions of Section 33-G(8), the entire provision has to be considered and the authorities cannot reject the claim in isolation only relying upon the second part.

99. Learned Standing Counsel has submitted that the writ petition filed by petitioner was dismissed in the year 2019 and Section 33-G was inserted in the year 2016.

100. The argument raised by learned Standing Counsel is totally absurd. Section 33-G specifically provides for regularising the services of all

those candidates who appointed in between 07.08.1993 till 25.01.1999 against the short term vacancy and for *ad hoc* appointment till 30.12.2000.

101. The regularization Committee has not considered the entire scope of 33-G(8) and has summarily rejected the claim only replying upon the pendency of the special appeal and of the continuance of the petitioner on the strength of interim order.

102. The order is unsustainable and the same is hereby set aside. The matter is remitted back to regularization Committee to accord fresh consideration considering the judgment rendered in case of **Vijay Shyam Dwivedi (supra)** as well as the provisions of Section 33-G(8).

Writ-A No. 4056 of 2024

103. This writ petition assails the order dated 06.02.2024 passed by the Regional regularization Committee rejecting the claim for regularization of petitioner on the ground that his case is not covered under Section 33-G (8) of the Act of 1982.

104. From perusal of the order impugned, it is clear that only consideration by the regularization committee was that petitioner was getting the salary since 16.08.2002 pursuant to the interim order granted by the writ Court on 10.07.2001 in Civil Misc. Writ Petition No. 24196 of 2001. Apart from that, ingredients of Section 33-G (8) has not been considered by the regularization committee.

105. This Court in earlier case had required the regularization committee to accord due consideration in light of the judgment of this Court in case of **Vijay Shyam Dwivedi (Supra)**. In view of the said fact, the order dated 06.02.2024 passed by the Regional regularization Committee is hereby quashed. Matter is remitted to Regional regularization Committee for fresh consideration in light of the judgment rendered in case of **Vijay Shyam Dwivedi (Supra)** as well as provisions of Section 33-G (8) of the Act of 1982.

Writ-A No. 4078 of 2024

106. The order under challenge in present writ petition is dated 03.02.2024 passed by Regional regularization Committee rejecting the claim of petitioner for regularization on the ground that his writ petition being Writ-A No. 16260 of 2000 was dismissed on 27.01.2017, against which special appeal was filed and petitioner is being paid salary pursuant to the order passed in special appeal.

107. This Court finds that the issue in regard to consideration of Section 33-G (8) has already attained finality by the judgment of this Court rendered in case of Vijay Shyam Dwivedi (Supra) wherein the Court had found that entire provision of Sub-Section (8) of Section 33-G has to be considered and it cannot be read in isolation that benefit of regularization cannot be accorded due to pendency of litigation before this Court. This Court finds that first part of Section 33-G (8) has not been considered by the Regional regularization Committee and solely relying upon second part of the provision that writ petition is still pending authorities had rejected the claim of petitioner.

108. In view of the said fact, the order dated 03.02.2024 is hereby quashed. Matter is remitted to Regional regularization Committee for fresh consideration in light of the judgment rendered in case of **Vijay Shyam Dwivedi (Supra)** as well as provisions of Section 33-G (8) of the Act of 1982.

Writ-A No. 4080 of 2024

109. The order under challenge in present writ petition is dated 03.02.2024 passed by Regional regularization Committee rejecting the claim of petitioner for regularization on the ground that writ petition is pending before this Court and petitioner is being paid salary on the basis of interim order.

110. This Court finds that the issue in regard to consideration of Section 33-G (8) has already attained finality by the judgment of this Court

rendered in case of **Vijay Shyam Dwivedi (Supra)** wherein the Court had found that entire provision of Sub-Section (8) of Section 33-G has to be considered and it cannot be read in isolation that benefit of regularization cannot be accorded due to pendency of litigation before this Court. This Court finds that first part of Section 33-G (8) has not been considered by the Regional regularization Committee and solely relying upon second part of the provision that writ petition is still pending authorities had rejected the claim of petitioner.

111. In view of the said fact, the order dated 03.02.2024 is hereby quashed. Matter is remitted to Regional regularization Committee for fresh consideration in light of the judgment rendered in case of **Vijay Shyam Dwivedi (Supra)** as well as provisions of Section 33-G (8) of the Act of 1982.

Writ-A No. 4110 of 2024

112. The order under challenge in present writ petition is dated 05.02.2024 passed by Regional regularization Committee rejecting the claim of petitioner for regularization on the ground that writ petition is pending before this Court and petitioner is being paid salary on the basis of interim order.

113. This Court finds that the issue in regard to consideration of Section 33-G (8) has already attained finality by the judgment of this Court rendered in case of **Vijay Shyam Dwivedi (Supra)** wherein the Court had found that entire provision of Sub-Section (8) of Section 33-G has to be considered and it cannot be read in isolation that benefit of regularization cannot be accorded due to pendency of litigation before this Court. This Court finds that first part of Section 33-G (8) has not been considered by the Regional regularization Committee and solely relying upon second part of the provision that writ petition is still pending authorities had rejected the claim of petitioner.

114. In view of the said fact, the order dated 05.02.2024 is hereby quashed. Matter is remitted to Regional regularization Committee for fresh consideration in light of the judgment rendered in case of **Vijay Shyam Dwivedi (Supra)** as well as provisions of Section 33-G (8) of the Act of 1982.

Writ-A No. 4114 of 2024

115. The order under challenge in present writ petition is dated 05.02.2024 passed by Regional regularization Committee rejecting the claim of petitioner for regularization on the ground that writ petition is pending before this Court and petitioner is being paid salary on the basis of interim order.

116. This Court finds that the issue in regard to consideration of Section 33-G (8) has already attained finality by the judgment of this Court rendered in case of Vijay Shyam Dwivedi (Supra) wherein the Court had found that entire provision of Sub-Section (8) of Section 33-G has to be considered and it cannot be read in isolation that benefit of regularization cannot be accorded due to pendency of litigation before this Court. This Court finds that first part of Section 33-G (8) has not been considered by the Regional regularization Committee and solely relying upon second part of the provision that writ petition is still pending authorities had rejected the claim of petitioner.

117. In view of the said fact, the order dated 05.02.2024 is hereby quashed. Matter is remitted to Regional regularization Committee for fresh consideration in light of the judgment rendered in case of Vijay Shyam Dwivedi (Supra) as well as provisions of Section 33-G (8) of the Act of 1982.

Writ-A No. 4116 of 2024

118. The order under challenge in present writ petition is dated 07.02.2024 passed by Regional regularization Committee rejecting the claim of petitioner for regularization on the ground that writ petition is

pending before this Court and petitioner is being paid salary on the basis of interim order.

119. This Court finds that the issue in regard to consideration of Section 33-G (8) has already attained finality by the judgment of this Court rendered in case of **Vijay Shyam Dwivedi (Supra)** wherein the Court had found that entire provision of Sub-Section (8) of Section 33-G has to be considered and it cannot be read in isolation that benefit of regularization cannot be accorded due to pendency of litigation before this Court. This Court finds that first part of Section 33-G (8) has not been considered by the Regional regularization Committee and solely relying upon second part of the provision that writ petition is still pending authorities had rejected the claim of petitioner.

120. In view of the said fact, the order dated 07.02.2024 is hereby quashed. Matter is remitted to Regional regularization Committee for fresh consideration in light of the judgment rendered in case of **Vijay Shyam Dwivedi (Supra)** as well as provisions of Section 33-G (8) of the Act of 1982.

Writ-A No. 4118 of 2024

121. The order under challenge in present writ petition is dated 03.02.2024 passed by Regional regularization Committee rejecting the claim of petitioner for regularization on the ground that writ petition is pending before this Court and petitioner is being paid salary on the basis of interim order.

122. This Court finds that the issue in regard to consideration of Section 33-G (8) has already attained finality by the judgment of this Court rendered in case of **Vijay Shyam Dwivedi (Supra)** wherein the Court had found that entire provision of Sub-Section (8) of Section 33-G has to be considered and it cannot be read in isolation that benefit of regularization cannot be accorded due to pendency of litigation before this Court. This Court finds that first part of Section 33-G (8) has not been considered by

the Regional regularization Committee and solely relying upon second part of the provision that writ petition is still pending authorities had rejected the claim of petitioner.

123. In view of the said fact, the order dated 03.02.2024 is hereby quashed. Matter is remitted to Regional regularization Committee for fresh consideration in light of the judgment rendered in case of **Vijay Shyam Dwivedi (Supra)** as well as provisions of Section 33-G (8) of the Act of 1982.

Writ-A No. 4720 of 2024

124. The order under challenge in present writ petition is dated 03.02.2024 passed by Regional regularization Committee rejecting the claim of petitioner for regularization on the ground that writ petition is pending before this Court and petitioner is being paid salary on the basis of interim order.

125. This Court finds that the issue in regard to consideration of Section 33-G (8) has already attained finality by the judgment of this Court rendered in case of **Vijay Shyam Dwivedi (Supra)** wherein the Court had found that entire provision of Sub-Section (8) of Section 33-G has to be considered and it cannot be read in isolation that benefit of regularization cannot be accorded due to pendency of litigation before this Court. This Court finds that first part of Section 33-G (8) has not been considered by the Regional regularization Committee and solely relying upon second part of the provision that writ petition is still pending authorities had rejected the claim of petitioner.

126. In view of the said fact, the order dated 03.02.2024 is hereby quashed. Matter is remitted to Regional regularization Committee for fresh consideration in light of the judgment rendered in case of **Vijay Shyam Dwivedi (Supra)** as well as provisions of Section 33-G (8) of the Act of 1982.

Writ-A No. 4241 of 2024

127. The order under challenge in present writ petition is dated 07.02.2024 passed by Regional regularization Committee rejecting the claim of petitioner for regularization on the ground that writ petition is pending before this Court and petitioner is being paid salary on the basis of interim order.

128. It is contended that by the order impugned dated 07.02.2024 the claim of regularization has been rejected solely on the ground that though the appointment was made against short term vacancy, necessary requisition was not sent by the Committee of Management and no documents had been placed before the regularization committee in regard to appointment of petitioner.

129. This Court finds that the appointment of petitioner is of the year 1993 against a short term vacancy and financial approval was granted on 16.08.1994, since then petitioner is working and getting the salary. The regularization committee has not considered the provisions of Section 33-G (8) in entirety and had summarily rejected the claim for regularization. After lapse of 30 years, the authorities cannot reject the claim simplicitor. Matter needs reconsideration.

130. On due consideration of the aforesaid, the order impugned dated 07.02.2024 is hereby quashed. Matter is remitted to Regional regularization Committee for fresh consideration. The requisite documents regarding appointment of petitioner shall be summoned by the regularization committee from Committee of Management of the institution in question as petitioner, after passing of 30 years, cannot be asked to place the necessary documents regarding his appointment.

Writ-A No. 4565 of 2024

131. It is contended that post of Lecturer in Civics fell vacant on 27.02.1993 in the institution in question on promotion of one Vikramajeet Singh. Petitioner was appointed against the said vacancy. The finding

recorded by the regularization committee does not take into note of the fact that appointment of petitioner is of the year 1994 and wrongly it has been recorded that vacancy in question occurred on 16.08.1995 and petitioner has concealed the said fact and was given appointment on 15.11.1994 when the post was not vacant.

132. It is further contended that the order impugned has been passed without affording opportunity of hearing to petitioner and, as such, he could not place the documents before the authorities.

133. This Court finds that the finding recorded by the authorities is against the material which has been brought on record by petitioner in the writ petition. Matter needs fresh consideration by regularization committee.

134. In view of the said fact, the order impugned dated 03.02.2024 is hereby quashed. Matter is remitted to Regional regularization Committee for fresh consideration, in accordance with law and after providing opportunity of hearing to petitioner and permitting him to place all the documents, which are available with him for considering his claim for regularization.

Writ -A No.4824 of 2024

135. The order of Regional Regularization Committee dated 05.02.2024 is under challenge on the ground that no opportunity has been provided to the petitioner while his claim has been rejected though he has been working as an Assistant Teacher since 1999 and have been paid the salary pursuant to the interim order granted by the writ Court.

136. According to the petitioner, his case is not covered under Section 18 of Act of 1982 and needs consideration under Section 33-G.

137. Learned Standing Counsel has opposed the writ petition on the ground that consideration was there by the Committee and finding has been returned that the proper procedure was not followed when the short

term vacancy was being filled up and no publication has been made in the newspaper.

138. From perusal of the order impugned, it is clear that no specific facts have been recorded by the Regional Regularization Committee while rejecting the claim. The detailed order needs to be passed once his claim is rejected after lapse of 25 years, as the petitioner has been paid salary from the State exchequer. The rejection with a single stroke of pen is not acceptable to the Court.

139. In view of the said fact, the order dated 05.02.2024 is hereby quashed. The matter is remitted back to the Regional Regularization Committee to accord fresh consideration considering statutory provision contained in Section 33-G.

DISCUSSION

140. Learned counsels appearing for various petitioners further contended that the petitioners before this Court have worked for almost 30-35 years and have been claiming regularization under various provisions of the Act of 1982. The State has proceeded to reject the regularization simplicitor in view of decision of Apex Court rendered in case of **Sanjay Singh (supra)** and the Government Order dated 09.11.2023. It has been contended that proper individual consideration is required in each of the matter after affording opportunity of hearing to the petitioners.

141. It has been brought to the notice of the Court that in many cases Committee of Management is not cooperating and not forwarding the relevant papers to the Regularization Committee for considering the regularization.

142. Sri Ashok Khare and Sri Ojha, learned Senior Counsel have submitted that the petitioners are not in possession of the various documents which are required by the Regularization Committee and could not place them before the authorities. According to them, in case the

Committee of Management does not place the documents before the Regularization Committee, the Committee should proceed under the provisions of the Act to take action against the such defaulting institutions. For the fault of the institution, the petitioners, who have rendered services for more than 25-30 years, cannot be penalized at the fag end of their services.\

143. It has also been brought to the notice of the Court that in most of the cases the financial approval has been granted by the District Inspector of Schools (DIOS) when the short term vacancy arose or the adhoc appointment was made. According to them, the financial approval is accorded only after the authorities are satisfied that the documents are in proper shape and a due procedure has been followed.

144. On the contrary, it has been argued on behalf of State that in many of the cases, the salary is being disbursed despite refusal of financial approval by the District Inspector of Schools only on the strength of the interim order.

145. This Court finds that after a lapse of 25-30 years, this Court cannot deny benefits of regularization as provided under Section 33-B, 33-C, 33-F, and 33-G of the Act of 1982 to such candidates who have been receiving salary either after the financial approval has been granted by the State authorities or in pursuance of the interim order. The provisions of Section 33-G(8) is very clear. The only consideration for refusal cannot be the pendency of writ petition and the interim order in operation. The first part needs to be considered by the authorities before disapproving the regularization. This fact has been considered by the coordinate Bench in case of **Vijay Shayam Dwivedi (supra).**

146. I am of the view that after lapse of such a long period, denial by the State Government in regularizing the services of the petitioners would not be in the interest of justice and a sympathetic view should be taken by the

State while considering such regularization under the provisions of Section 33-B, 33-C, 33-F, and 33-G of the Act of 1982.

147. The Apex Court had found in **Sanjay Singh (supra)** that adhochism should end in the State of Uttar Pradesh. Once the State has proceeded to deal with the matters post 2000 on a different pedestal complying the order in case of **Sanjay Singh (supra)**, it should take a sympathetic view and consider the matter regarding regularization in terms of Section 33-B, 33-C, 33-F, and 33-G of the Act of 1982 for those short term vacancy and adhoc appointment which were made between 1985 to 2000. Rejecting regularization only on technical issues is leading to litigation which does not serve the purpose.

148. It has been informed to the Court that there were 1079 matters pending for regularization between these periods, and in about 78 cases, the State had passed order for regularization. This Court expects that the matters, which have been considered by the Court today and the remaining matters pending consideration, the authorities should take sympathetic view and proceed to consider the claim for regularization according to the provisions not insisting for the documents which are not in possession of the petitioners.

CONCLUSION

149. Considering the facts and circumstances of the case, this Court is of the opinion that the matters which have been remitted back to the Regularization Committee shall be considered in the light of the following directions:

(i) The Regional Regularization Committee shall accord fresh consideration in all remitted matters within a period of six weeks from the date of remand.

(ii) As far as possible, the Regional Regularization Committee shall accord hearing to all the candidates whose claim is under consideration for regularization.

(iii) The Committee shall ask all the Management Committees of the Institution to provide necessary documents which are needed for consideration of regularization of the candidates within a period of two weeks from the date of this order. In case the documents are not provided by the Management Committees, the Regularization Committee shall proceed against the institution in question under the provisions of Act of 1921.

(iv) The Regularization Committee shall further accord due consideration to provision of Act of 1982 while considering the claim for regularization especially for all those candidates whose case fall under Sections 33-B, 33-C, 33-F, and 33-G.

(v) It is further provided that in view of clarification of Government Order dated 26.09.2024, all the candidates whose matters are under consideration before the Regional Regularization Committee, shall be paid their salary which has been stopped pursuant to the order dated 09.11.2023 within a period as prescribed in the clarification order dated 26.09.2024, till their claims are finally decided.

(vi) Further all the candidates whose claim has not been decided by the Regularization Committee shall be permitted to work.

(vii) It is clarified that in all those cases where the claim for regularization was rejected and the writ petition has been allowed by this Court and the matter has been remitted back for fresh consideration, those candidates shall be entitled for their entire salary till their claim is decided afresh.

150. The directions issued is only pertaining to the appointments made against short term vacancy/*ad hoc* appointment upto 30.12.2000. Those cases in which appointment has been made post 2000, the judgment and directions given by this Court would not apply.

151. In view of the above, the issue raised in these bunch of petitions stand answered and the educational authorities to proceed in accordance with the directions as given above.

152. All the writ petitions stand **disposed of.**

Order Dated:- 30.9.2024
Kushal/Shekhar/V.S. Singh/SK Goswami

[Rohit Ranjan Agarwal,J.]