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**(2011) 09 AHC CK 0504**  
**In the Allahabad High Court**  
**Case No : Service Single No. 6490 of 2011**

Karuna Devi

APPELLANT

Vs

State of U.P. thr. Prin. Secy. Basic Education and Others

RESPONDENT

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**Date of Decision :** 15-09-2011

**Acts Referred:**

**Citation :** (2011) 09 AHC CK 0504

**Hon'ble Judges :** Devendra Kumar Arora, J

**Bench :** Single Bench

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## Judgement

Devendra Kumar Arora, J.—Notices on behalf of opposite parties No. 1 to 4 has been accepted by the learned Chief Standing Counsel. Present writ petition is directed against the action of opposite party No. 4 thereby rejecting the candidature of the Petitioner for Basic Teachers Training Course (Distance Mode) for untrained graduate Shiksha Mitra on the ground that she completed graduation after her joining as Shiksha Mitra.

2. Submission of Learned Counsel for the Petitioner is that the Petitioner passed B.A. Part I in the year 2001 when she was selected for the post of Shiksha Mitra and was appointed on the said post on 26.9.2001 in Primary School, Moosepur, Block Bawan, district Hardoi. The Petitioner appeared in B.A. Part III examination in the year 2003 after obtaining leave from the Village Education Committee. The Petitioner applied for Basic Teacher Training Course (Distance Mode) but his candidature was rejected by the opposite party No. 4 on the ground that the Petitioner has completed his graduation while working as Shiksha Mitra.

3. Learned Counsel further submitted that her case is entirely covered with the judgment & order dated 16.8.2011, passed in Writ Petition No. 5084 (SS) of 2011 (Pratibha Dwivedi v. State of U.P. and Ors.) and, therefore, Petitioner is also entitled to get the benefit of the said judgment & order.

4. Heard Learned Counsel for parties and perused the record.

5. Admittedly, controversy involved in this writ petition has already been settled by this Court vide judgment & order dated 16.8.2011, passed in Writ Petition No. 5084 (SS) of 2011 (supra).

6. In view of the above, opposite party No. 4 is hereby directed to consider the candidature of the Petitioner, ignoring the objection to the effect that Petitioner completed her graduation while working as Shiksha Mitra and if the Petitioner is otherwise eligible and suitable, be sent for training of Basic Teachers Training Course (Distance Mode).

7. With the above observations, this writ petition stands disposed of accordingly.