
(2011) 09 AHC CK 0226
In the Allahabad High Court
Case No : Service Single No. 6487 of 2011

Krishna Pal

APPELLANT

Vs

State of U.P. and Others

RESPONDENT

Date of Decision : 15-09-2011

Acts Referred:

Citation : (2011) 09 AHC CK 0226

Hon'ble Judges : Devendra Kumar Arora, J

Bench : Single Bench

Judgement

Devendra Kumar Arora, J.—Notices on behalf of opposite parties No. 1, 2 & 4 has been accepted by the learned Chief Standing Counsel. Sri D.R. Misra, Advocate has accepted notice on behalf of opposite party No. 3.

2. Present writ petition is directed against the action of opposite party No. 4 rejecting the candidature of the Petitioner for training of "Snatak Arhatadhari Aprashikshit Shiksha Mitron Ke Do Varshiya Doorasth Shiksha Vidhi Se Prashikshan.

3. Submission of Learned Counsel for the Petitioner is that the Petitioner passed B.A. Part II in the year 2002 when he was selected for the post of Shiksha Mitra and was appointed on the said post on 11.12.2002 in Primary School, Ghaghra Ghat, Block Jarwal, district Bahraich. The Petitioner appeared in B.A. Part III examination in the year 2003 after obtaining sanction leave from the Village Education Committee. The Petitioner applied for "Snatak Arhatadhari Aprashikshit Shiksha Mitron Ke Do Varshiya Doorasth Shiksha Vidhi Se Prashikshan" 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.

4. Learned Counsel further submitted that his 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.

5. Heard Learned Counsel for parties and perused the record. 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 his graduation while working as Shiksha Mitra and if the Petitioner is otherwise eligible and suitable, be sent for training of "Snatak Arhatadhari Aprashikshit Shiksha Mitron Ke Do Varshiya Doorasth Shiksha Vidhi Se Prashikshan".

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