
(2003) 01 AHC CK 0161

In the Allahabad High Court

Case No : Civil Miscellaneous Writ Petition No. 45783 of 2002

Sarojani Pandey (Smt.)

APPELLANT

Vs

State of U.P. and Others

RESPONDENT

Date of Decision : 22-01-2003

Acts Referred:

Citation : (2003) 2 UPLBEC 1129

Hon'ble Judges : Anjani Kumar, J

Bench : Single Bench

Advocate : Anurag Pathak, for the Appellant;

Final Decision : Dismissed

Judgement

Anjani Kumar, J.—Heard learned Counsel for the petitioner and the learned Standing Counsel for the respondents.

2. This Court by the order dated 7th December, 2002 granted one month's and no more further time to the learned Standing Counsel to file counter-affidavit but no counter-affidavit has been filed till date.

3. Learned Standing Counsel firstly prayed for further time to file counter-affidavit but in view of the aforesaid, the same cannot be granted.

4. Learned Counsel for the petitioner has argued that the impugned order relies upon the Government Order dated 28th October, 1998, whereby it has been ruled that the examinations of Prathama and Madhyama conducted by the Hindi Sahitya Sammelan, Prayag, Allahabad are not equivalent to High School and Intermediate Examination conducted by the Board of High School and Intermediate Education, Uttar Pradesh, Allahabad. Learned Counsel has further submitted that the authorities have not taken into consideration the documents Annexures "4" and "4-A" to the writ petition.

5. Annexure "4" is a Government Order dated August 22, 1998 issued by the Joint Secretary, Uttar Pradesh Government, addressed to the Director of

Education, Allahabad wherein it has been stated that the examination conducted by the Hindi Sahitya Sammelan, Allahabad for Prathama and Madhyama are being recognised as equivalent to High School and Intermediate Examination and the Order relied upon by the respondents in the impugned order is dated 28th October, 1998. In view of the fact that the latest order will prevail, the Government Order dated August 22, 1998 issued by the Joint Secretary, Uttar Pradesh Government, addressed to the Director of Education, Allahabad Annexure "4" to the writ petition, does not help the petitioner. So far as Annexure "4-A" to the writ petition, which is an order dated 26th July, 2001 of the Government of India, is concerned that is not binding on the State Government.

6. In view of what has been stated above, I do not find any infirmity in the impugned order. The writ petition is devoid of merits and deserves to be dismissed. It is accordingly dismissed. There is no order as to costs.