

Allahabad High Court

C/M Sri Shanker Ji Inter College ... vs State Of U.P. And Others on 29 July, 2010

Court No. - 18

Case :- WRIT - A No. - 44258 of 2010

Petitioner :- C/M Sri Shanker Ji Inter College And Another

Respondent :- State Of U.P. And Others

Petitioner Counsel :- J. P. Singh

Respondent Counsel :- C. S. C.

Hon'ble Arun Tandon, J.

Learned Standing Counsel represents respondent nos. 1 to 4.

Issue notice to respondent nos. 5 to 10 fixing 6th August, 2010 as the date.

Petitioner to take steps within a week.

All the respondents may file counter affidavit by the next date fixed.

List on the date fixed.

Order impugned in the present writ petition passed by the District Inspector of Schools dated 22nd June, 2010 does not record any finding with regard to the compliance of the procedure prescribed in the mater of selection committee as explained by thsi Court in the case of Principal, Adarsh Intermediate College, Umari, Bijnor vs. State of U.P. & others reported in 2010 (1) ADJ 403, which has since been affirmed by the Division Bench of this Court under judgement and order dated 3rd December, 2009 passed in Special Appeal No. 1851 of 2009 (Principal, Adarsh Intermediate College Umari vs. State of U.P. & others). Consequently prima facie the order of the District Inspector of Schools approving the appointment dated 22nd June, 2010 papers to be illegal.

Petitioner has made out a prima facie case for grant of an interim order.

Till the next date of listing, operation of the impugned order passed by the District Inspector of Schools dated 22nd June, 2010 shall remain stayed.

(Arun Tandon, J.) Order Date :- 29.7.2010 Sushil/-