

Court No. - 35

Case :- WRIT - A No. - 26493 of 2005

Petitioner :- Dr. Jitendra Mani Tripathi And Another

Respondent :- State Of U.P. Thru Secy. Higher Secondary Edu. And Ors.

Counsel for Petitioner :- Surya Narayan, S.N. Tripathi, S.N. Tripathi

Counsel for Respondent :- C.S.C., Kalim Uddin, Vashishtha Tiwari

Hon'ble Salil Kumar Rai, J.

Heard the counsel for the parties.

The present writ petition has been filed challenging the appointment of respondent no. 6 under the Dying-in-Harness Rules as included in the Regulations framed under the Uttar Pradesh Intermediate Education Act, 1921.

It has been stated that petitioner no. 1 has died. The petitioner no. 2 is a Physical Training Instructor in the college in which the respondent no. 6 has been appointed. The petitioner no. 2 or even the petitioner no. 1 had no *locus standi* to challenge the appointment of respondent no. 6. Even otherwise, it has been stated that the respondent no. 6 has been confirmed in service and has been promoted to the post of Lecturer.

In view of all the aforesaid facts and reasons, it is not a fit case for interference by this Court under Article 226 of the Constitution of India.

The writ petition is ***dismissed***.

Order Date :- 30.11.2022

Satyam