



2026:AHC-LKO:1359-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

SPECIAL APPEAL No. - 401 of 2015

Amit Shukla And Ors. 5078 M/S2011

.....Appellant(s)

Versus

State Of U.P.Throu.Its Prin.Secy.Secondary
Edu.Lko.And Ors.

.....Respondent(s)

Counsel for Appellant(s)	: G.C.Verma, Kunj Bihari Pandey
Counsel for Respondent(s)	: C.S.C. , Anurag Kumar Singh

Court No. - 1

HON'BLE RAJAN ROY, J.

HON'BLE ABDHESH KUMAR CHAUDHARY, J.

1. Heard Sri G.C. Verma, learned Senior Advocate assisted by Sri K.B. Pandey, learned counsel for the appellant and Sri Sharad Pathak, learned Senior Advocate assisted by Sri Priya Singh, learned counsel for the appellant, learned Standing Counsel and Sri Anurag Singh, learned counsel for the respondent.

2. After hearing the parties, ultimately what comes out is that a writ petition was filed by the committee of management and certain teachers of the educational institution including the appellant before this Court. During pendency of the writ petition, the committee of management changed and a statement was made on its behalf before the writ court that it does not want to press the writ petition, however, thereafter the same committee of management filed another Writ Petition bearing no. 16721 of 2021 seeking the same relief i.e. for bringing the institution on grant-in-aid list of the State Government, which was disposed of on 06.08.2021 with a direction to the State Government to consider the representation of the said petitioner/committee of management.

3. In compliance thereof, the State Government has considered the claim

and rejected it vide order dated 23.10.2024. In the interregnum the impugned judgment was passed in the writ petition, which was filed by the committee of management and the teachers dismissing the same on the ground of absence of locus. As regards the reasons given for dismissal of the writ petition so far as observation of the learned Single Judge that relief clause no. 1 is premature, the said observation is of no relevance because now a decision has been communicated to the concerned in writing as noticed hereinabove.

4. So far as the other observations with regard to the locus of the appellants/petitioners, who are teachers and Class-IV employees in the said institution to maintain such a petition, we are of the opinion that ultimately, if the institution is taken on grant-in-aid list of the State Government, it is the teachers and employees, who will be the beneficiaries. Sri Sharad Pathak appearing for other employees, who had filed an application for impleadment in the writ petition out of which this appeal arises, concurs with this observation of the Court that the employees have locus standi and says that his impleadment has incorrectly been rejected by the writ court.

5. In view of the aforesaid, we are of the opinion that this appeal can be disposed of with the observation that the appellants, teachers and employees herein as also the clients of Sri Sharad Pathak, who are also employees of the institution in question as well as the committee of management represented by Sri Anurag Kumar Singh can, if so advised, challenge the decision of the State Government before the appropriate forum or court. In fact, we find that the learned Single Judge also has granted liberty to any aggrieved person to challenge such decision.

6. With this clarification/modification to the impugned judgement, the appeal stands disposed of.

January 8 , 2026
Anuj Singh

(Abdhesh Kumar Chaudhary,J.) (Rajan Roy,J.)