

Chief Justice's Court

Case :- SPECIAL APPEAL No. - 412 of 2025

Appellant :- Triloki Nath Chaturvedi, Manager, Committee of Management

Respondent :- Committee of Management and 6 others

Counsel for Appellant :- Prabhakar Awasthi, Prashant Vardhan

Counsel for Respondent :- Rajiv Singh, S.C., Vatsala, Yadvendra Rai Pandey, Indra Raj Singh

Hon'ble Arun Bhansali, Chief Justice

Hon'ble Kshitij Shailendra, J.

1. It is submitted by counsel for the appellant that learned Single Judge was not justified in directing holding of the election by Prabandh Sanchalak to be appointed by the Joint Director of Education, Kanpur Region, Kanpur in view of the fact that post the amendment of provisions of Section 16-A of the U.P. Intermediate Act, 1921, the scheme of administration under which the direction has been given by learned Single Judge, as the institution in question is an unaided institution, would come to an end.
2. The submissions made in this regard, are contested by counsel for the respondent no. 6 - petitioner.
3. Apparently, the said direction was given by learned Single Judge, beyond the prayer made in the writ petition and based on the circumstances, which came before the Court for doing justice between the parties. However, as the issue has now been raised in the present appeal, we deem it appropriate and therefore, direct the respondent no. 6 - petitioner and State to file counter affidavit qua the issue raised in the present appeal.
4. Needful may be done within a period of three weeks.
5. List the appeal on **13.08.2025**, as fresh.

6. In the meanwhile and till the next date, though the Prabandh Sanchalak, who as directed by learned Single Judge, has been appointed would continue, however, the elections, as directed, shall not be held.

Order Date :- 8.7.2025
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(Kshitij Shailendra, J) (Arun Bhansali, CJ)