

ITEM NO.16 Court 5 (Video Conferencing) SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s).1382/2021

ASHWINI KUMAR UPADHYAY Petitioner(s)

VERSUS

UNION OF INDIA & ORS. Respondent(s)

Date : 11-02-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE B.R. GAVAI

For Petitioner(s) Mr. Ranjit Kumar Sr.Adv.
Mr. Ashwani Kumar Dubey, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Mr. Ranjit Kumar, learned senior counsel appearing for Mr. Ashwani Kumar Upadhyay, a public spirited advocate practicing in this Court, submitted that issues relating to the validity of the provisions of Right to Education Act fall for consideration. Therefore, this Court should entertain this writ petition filed under Article 32 of the Constitution of India.

We are of the opinion that the petitioner should approach the High Court by filing a petition under Article 226 of the Constitution of India raising all points that are urged in this writ petition. The petitioner seeks and is permitted to withdraw this writ petition and approach the High Court. We make it clear that we have not expressed any opinion on the merits of the case.

The writ petition is, accordingly, dismissed as withdrawn with aforesaid liberty.

(B.Parvathi)
Court Master

(Anand Prakash)
Court Master