
(1987) 03 AHC CK 0059
In the Allahabad High Court
Case No : Writ Petition No. 5639 of 1986

Avadhesh Kumar

APPELLANT

Vs

State of U.P.

RESPONDENT

Date of Decision : 25-03-1987

Acts Referred:

Constitution of India, 1950 — Article 16

Citation : (1987) 03 AHC CK 0059

Hon'ble Judges : U.C.Srivastava, J and Rajeshwar Singh, J

Final Decision : Dismissed

Judgement

Rajeshwar Singh J.

1. The petitioner has prayed for a writ of certiorari quashing the order dated 1.8.1986 terminating his service. The petition has been opposed on behalf of the opposite parties.
2. It appears from the record that the petitioned was Paid Apprentice in the civil court. He was duly appointed. Annexure 3 shows that on administrative grounds his services were terminated. It is apparent from paragraph 26 of the petition that persons junior to the petitioner have been retained in service and this fact has not specifically been denied in the counter affidavit. So the termination order was arbitrary and against the provisions of Article 16 of the Constitution. Nothing has been said to show that the petitioner formed a class separate from their juniors,
3. In view of the above, the termination order dated 1.8.1986 contained in annexure 3 is quashed, Necessary consequences will follow.