
(2020) 12 UK CK 0055

In the Uttarakhand High Court

Case No : Writ Petition (S/B) No. 210 Of 2020

Balwant Kumar And Others

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 17-12-2020

Acts Referred:

Citation : (2020) 12 UK CK 0055

Hon'ble Judges : Ravi Malimath, J;Alok Kumar Verma, J

Bench : Division Bench

Advocate : T.A. Khan, B.S. Parihar, B.D. Upadhyaya

Final Decision : Disposed Of

Judgement

Ravi Malimath, J

1. Learned counsel for the petitioners seeks the following reliefs:-

i. To issue a writ, order or direction in the nature of mandamus commanding the respondents to grant the petitioners (except the petitioner

no. 3, 4 and 11), as provided in clause 9.1 of University

Grant Commission (Minimum Qualifications for appointment of Teachers and other academic staff in Universities and Colleges and other

Measures for Maintenance of Standards in Higher Education) Regulations-2010 (Annexure no. 1 to this petition).

ii. To issue a writ, order or direction in the nature of mandamus commanding the respondents to the petitioners no. 3, 4 and 11 as provided

in clause 9.4 (I) of University Grant Commission (Minimum Qualifications for appointment of Teachers and other academic staff in

Universities and Colleges and other Measures for Maintenance of Standards in Higher Education) Regulations-2010.

iii. Any other relief which this Honâ??ble Court may deem fit and proper, may kindly be awarded in favour of the petitioner and against

the respondents.

iv. Award the cost of the petition in favour of the petitioner and against the respondents.

2. Learned counsel for respondent nos. 2 and 3, in their counter-affidavit, have stated in para no. 15 as follows:-

15. That in view of the order dated 23-4-2010 the resolution of the Executive Council dated 28-2-2020 in the concerned matter could not be

given effect to as such no further action could not be taken in the matter and thereafter the University could not convene the meeting of the

Executive Council because of Covid-19 but now the University has called a meeting of the Executive Council to be held on 27-11-2020 in

which the matter will be again placed for getting its approval and as soon as the Executive Council as well as Chancellor of the University

will grant its approval the non-compounded advance increments shall be given to the petitioners within 3 weeks thereafter from the due date

of their eligibility.

3. In view of the same, the learned counsel for the petitioner submits that the petition can be disposed-off in terms of the said para.

4. Consequently, the petition is disposed-off in terms of the statement made by respondent nos. 2 and 3, in para no.15 of their counter-affidavit.

Furthermore, the learned standing counsel assures that the Chancellor will pass necessary order in a period of eight weeks from today.

Â 5. His submission is placed on record.

6. The writ-petition stands disposed-off accordingly.

7. Pending application, if any, stands disposed-off.