
(2011) 03 AHC CK 0315
In the Allahabad High Court
Case No : Service Bench No. 373 of 2011

Dr. Dushyant Pratap Singh and Others	APPELLANT
Vs	
State of U.P. and Others	RESPONDENT

Date of Decision : 01-03-2011

Acts Referred:

Citation : (2011) 8 RCR(Criminal) 810

Hon'ble Judges : S.C. Chaurasia, J;Devi Prasad Singh, J

Bench : Division Bench

Final Decision : Disposed Of

Judgement

1. Heard learned Counsel for the parties and perused the record.
2. The controversy involved in the present writ petition, relates to regularization of services and payment of regular salary of the part-time teacher. The controversy in question has been settled at rest by a Division Bench's Judgment of this Court in the Writ Petition No. 1175(S/B)/2009, Dr. Gaurav Mishra v. State of U.P. Thru. Prin. Secy. Higher Education and Ors., decided on 22-12-2010, of which one of us (Hon'ble Devi Prasad Singh, J.) was a member. Para Nos. 28 & 29 of the said judgment are reproduced as under:
 28. Since in the case of Km. Renu Tiwari, the Division Bench has decided the claim of part time lecturers with regard to payment of regular salary, it is not open now, to reconsider the same aspect of the matter in these bunch of writ petitions. All part time lecturers shall be entitled for payment of salary in terms of judgment given in the case of Km. Renu Tiwari(supra).
 29. In view of the above, we allow the writ petition in part maintaining the order in question subject to observations made herein above. The Petitioners shall be entitled to be considered for regularisation in pursuance of directions issued in Anurag Tripathi (supra). So far as the payment of salary is concerned, all the similary situate candidates shall be entitled for salary in terms of Km. Renu Tiwari's case(supra).

3. In view of the above, we dispose of the present writ petition in terms of the judgment and order dated 22.12.2010 (supra), with regard to Petitioner's continuance in service and payment of salary. The Petitioner shall be permitted to continue in service in terms of judgment and order dated 22.12.2010 (supra).

4. The writ petition is accordingly disposed of.