

(1987) 02 AHC CK 0053
In the Allahabad High Court
Case No : Writ Petition No. 4907 of 1983

Jai Ram Chaudhari

APPELLANT

Vs

U.P.State Road Transport Corpn., Lucknow and Others

RESPONDENT

Date of Decision : 07-02-1987

Acts Referred:

Uttar Pradesh State Road Transport Corporation Employees (Other than Officers)
Service Regulations, 1981 — Regulation 9(ii)

Citation : (1987) 02 AHC CK 0053

Hon'ble Judges : U.C.Srivastava, J and S.C.Mathur, J

Final Decision : Allowed

Judgement

S. C. Mathur, J.—The petitioners in these petitions were employees of the U.P. State Road Transport Corporation. All the petitioners were appointed prior to 1961. By various orders passed by different authorities of the Corporation between 13.11.1982 and prior to 20.12.1986 they were either removed, dismissed, or suspended from service, or their services were terminated, or they were reverted or reduced in rank or delisted. In certain case also with the order of removal an order of recovery was also made. In some cases there is order of forfeiture of salary also. In all the petitions the petitioners' plea was that the authorities of the Corporation who passed the impugned orders were not competent in that behalf. It is not disputed that after the constitution of the Board of Directors no delegation of power was made by the Board of Directors in favour of the officers who have passed the impugned orders. On these facts, in view of the judgment of this Court in re : Bhopal Singh v. Managing Director, U.P. State Road Transport Corporation and others, decided on 10.9.1986, it has to be held that the said authorities were not competent to pass the impugned orders. Accordingly the Writ Petitions deserve to be allowed and the impugned orders are liable to be quashed.

2. In view of the above the petitions are allowed and the orders impugned in the various petitions are hereby quashed. It will be open to the competent authority to pass fresh orders in accordance with law. There shall be no order as to costs. A

copy of this order shall be placed on the paper book of each Writ Petition.