
(2010) 08 AHC CK 0124
In the Allahabad High Court

Krishna Murari Mishra

APPELLANT

Vs

State of U.P. and Others

RESPONDENT

Date of Decision : 02-08-2010

Acts Referred:

Citation : (2010) 08 AHC CK 0124

Hon'ble Judges : Satyendra Singh Chauhan, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Satyendra Singh Chauhan, J.—Heard learned Counsel for the petitioner and learned Standing Counsel.

2. The present petition has been filed with the prayer that the petitioner may be given two years" extension of service in view of the fact that State Teacher Award has been conferred upon the petitioner on 29.8.2008.

3. Submission of learned Counsel for the petitioner is that the petitioner is entitled for the benefit of two years" extension on account of the fact that the said award has been conferred upon him which confers the benefit of extension of two years" service.

4. Learned Standing Counsel, on the other hand, has submitted that since the petitioner has been conferred the aforesaid award after his retirement, therefore, no extension can be granted to the petitioner. The said benefit is available to the persons, who are in service and are working as Lecturers. Since the petitioner has already retired on 30.6.2008 and has not been working as Lecturer on the date of conferment of the award, the claim of the petitioner cannot be entertained and is liable to be rejected. He also states that the issue in question stands covered by a Division Bench judgment of this Court in the case of Hamiduddin v. State of U.P. 2006 (1) ESC 36 (Alld).

5. I have heard learned Counsel for the parties and perused the judgment of

Hamiduddin (Supra) and I am not inclined to take any different view. The law in this regard has been settled by the Division Bench of this Court in the aforesaid judgment. The petitioner admittedly has been awarded State Teacher Award after his date of retirement, therefore, he is not entitled for the benefit of two years" extension of service.

6. The writ petition is devoid of merit. It is accordingly dismissed.