

(1991) 08 AHC CK 0045

In the Allahabad High Court

Case No : Civil Miscellaneous Writ Petition No. 14660 of 1991

Om Prakash Srivastava

APPELLANT

Vs

Vice Chancellor, Allahabad University and others

RESPONDENT

Date of Decision : 29-08-1991

Acts Referred:

Uttar Pradesh State Universities Act, 1973 — Section 31A

Citation : (1991) 08 AHC CK 0045

Hon'ble Judges : A.N.Varma, J and S.N.Sahay, J

Final Decision : Allowed

Judgement

S.N. Sahay, J.—No counter affidavit has been filed in spite of time having been granted and a stop order having been passed in that behalf. The petitioner who is a Lecturer in the Ancient History Department of Allahabad University claims his personal promotion in accordance with the provision of Section 31A of the U.P. State Universities Act, 1973. He has stated that although the Reader's grade has been granted to him yet no selection Committee has been constituted under the provisions of Section 31A till this date. Annexure 7 to the writ petition shows that the matter was last considered by the Executive Council of the University on 24th June, 1990 and it was decided that appropriate action will be taken for constituting the Selection Committee and assurance was also given by the Vicechancellor to take immediate action, but nothing has been done so far. The matter is covered by a decision of this Court in Writ petition No. 15021 of 1987 decided on 12th February, 1988. The facts of the case appear to be similar. According to the petitioner, no meeting of the Selection Committee has taken place after 2271986 as stated in paragraph 10 of the writ petition. Under the circumstances, we allow the writ petition and issue a writ of mandamus commanding the Respondents to implement the resolution of the Executive Council dated 29th July, 1990 and constitute a Selection Committee, if not already constituted, within one month from the date on which a copy of this order is produced by the petitioner before the Registrar of the University. It is further directed that the matter relating to petitioner's personal promotion will

be considered by the Selection Committee and decision will be taken by the authorities concerned within the next two months. We also direct that in case the petitioner is selected for personal promotion it will take effect from the date from which the petitioner was entitled.

2. A copy of this order may be given to the learned counsel for the petitioner within three days on payment of requisite charges.

(Petition allowed)