
(1996) 11 AHC CK 0040

In the Allahabad High Court

Case No : Civil Miscellaneous Writ Petition No. 12022 of 1995

Swayambar Prasad Verma

APPELLANT

Vs

State of Uttar Pradesh and Others

RESPONDENT

Date of Decision : 06-11-1996

Acts Referred:

Citation : (1997) 1 UPLBEC 83

Hon'ble Judges : M. Katju, J

Bench : Single Bench

Advocate : V.S. Dwivedi, for the Appellant; S. C., for the Respondent

Judgement

M. Katju, J.—The petitioner has prayed for quashing the impugned order dated 24-1-1995 by which he was ordered to be retired on 31-5-1995.

2. I heard the learned counsel for the parties. The petitioner was an Assistant Teacher in the Government Model School, Fatehpur where he was posted since 10-12-1996. It is stated in Paragraph 2 of the writ petition that in view of his outstanding service, he was awarded National Award by the Ministry of Human Resource Development, National Award by the Ministry of Human Resource Development, Government of India on 5-9-1994 vide Annexure. to the writ petition. in Paragraph 3 of the write petition it is alleged that vide Government Order dated 6-5-1982 ever teacher who has been awarded merit certificate is allowed two years extention in service. There is another Government Order dated 21-3-1994 allowing extention of service upto the end of the session vide Annexure-III. There is also another G. O. dated 15-4-1981 by Which the recipient of National Award is given one increment vide Annexure-IV to the writ petition.

3. The petitioner filed an application to the Principal of the Institution for extention of his service for two years on the ground that he has received the National Award vide Annexure-V to the writ petition, but he received a letter from the principal dated 24-1-1995 Stating that he will retire on 31-1-1995. The

petitioner then made an application dated 31-1-1995 to the Principal vide Annexure-VII to the writ petition and, also made a representation to the Education Secretary, Lucknow on 20-3-1995 and also to the Additional Education Director vide Annexure-VIII and VIII-A to the writ petition.

4. A counter affidavit has been tiled. In Paragraph 4 of the same it has been stated that the petitioner's representation was sent to the higher authorities and suitable orders will be passed after receiving sanction from the State Government.

5. On the facts and circumstances of the case, I dispose of this petition finally with the direction that the petitioner's representation and any further representation which the petitioner may make shall be decided by the authority concerned within one month from the date of production of a certified copy of this order before the said authority in accordance with law by a speaking order.