
(2008) 12 AHC CK 0062
In the Allahabad High Court

Yogendra Pal Singh

APPELLANT

Vs

State of U.P.and Others

RESPONDENT

Date of Decision : 03-12-2008

Acts Referred:

Citation : (2008) 12 AHC CK 0062

Hon'ble Judges : Janardan Sahai, J and Rakesh Sharma, J

Final Decision : Dismissed

Judgement

Rakesh Sharma, J.

The petitioner claims to be the seniormost Lecturer in Political Science in Soordas Brajrani Memorial Degree College, Soorkuti, Runakata, Agra. The petitioner is aggrieved by an order dated 30.6.08 passed by Dr.Pushpa Srivastava, Secretary of the Committee of Management of the degree college. The said order has also been approved by the order of the Vice Chancellor of Dr.Bheem Rao Ambedkar University, Agra communicated by the letter of the Registrar dated 15.11.08. Counsel for the petitioner submitted that the order has been ante dated and it has been passed by Dr.Pushpa Srivastava who is not the Secretary of the Committee of Management. It is also submitted that a resolution has been passed by the committee of management terminating the services of the respondent no.5 which has been sent for approval to the University.

Sri B.B.Srivastava counsel for respondent no.5 submitted that the committee which has passed the resolution for terminating the services of respondent no.5 was in fact not a validly constituted committee and the dispute is pending in special appeal no.1330 of 2008 in which an interim order dated 30.9.08 has been passed. Counsel for the petitioner submits that stay order has not been granted in respect of the committee which has passed the resolution for termination. The respondents have also raised an objection that the petitioner has an alternative remedy of filing a representation under Section 68 of the U.P. State Universities Act against the order of the Vice Chancellor. We find merit in this objection. In view of the alternative remedy available to the petitioner we do not find it a fit

case for interference under Article 226 of the Constitution of India. Dismissed.