

Chief Justice's Court

Case :- SPECIAL APPEAL No. - 47 of 2008

Appellant :- State Of U.P. Through Secy. R.E.S. And 3 Ors.

Respondent :- Arun Kumar Singh

Counsel for Appellant :- Standing Counsel

Counsel for Respondent :- S.N. Tilhari, Ram Sewak Tripathi

Hon'ble Pritinker Diwaker, Chief Justice

Hon'ble Jaspreet Singh, J.

As per the averments made in the writ petition, the petitioner was appointed as mate on daily wages and after the expiry of two years, his services were discontinued.

Aggrieved by the said action, the petitioner filed a writ petition before this Court which by the impugned order has been allowed directing the petitioner to be reinstated in service and the respondents were directed to pay compensation of a sum of Rs. 50,000/-.

The learned State Counsel submits that the appointment of the writ petitioner was purely on contract basis and after two years his services were dispensed with as the same was not required.

This petition was filed way back in the year 1994 and by now the petitioner must be about 59 years. Furthermore, no regular appointment was ever given to the petitioner and it was purely on temporary basis.

Considering the overall aspects of the matter, we are of the opinion that there is no substance in the writ petition and therefore the order impugned cannot be allowed to be passed.

With the aforesaid, the special appeal stands allowed. The order of the learned Single Judge is set aside and the writ petition shall stand dismissed.

Order Date :- 17.7.2023

Asheesh

(Jaspreet Singh, J.) (Pritinker Diwaker, CJ.)