

Court No. - 8

Case :- WRIT - A No. - 18280 of 2019

Petitioner :- Vinod Kumar Verma

Respondent :- State Of U.P. Thru Prin.Secy.Mahila Evam Bal Vikas And Ors.

Counsel for Petitioner :- Anand Mani Tripathi

Counsel for Respondent :- C.S.C.

Hon'ble Dinesh Kumar Singh,J.

1. Heard Sri Anurag Tripathi, learned counsel for the petitioner and Sri Sandeep Chandra, learned Standing Counsel.

2. The present writ petition under Article 226 of the Constitution of India has been filed seeking quashing of the order dated 27.5.2019, whereby by the petitioner's contractual employment on the post of Legal-cum-Probation Officer in Mahila Evam Bal Vikas Department, Government of Uttar Pradesh came to be terminated on the ground that under the contract, it was specifically provided that in Graduation, the petitioner must possess 50% marks, whereas the petitioner could secure only 819 marks out of 1800 marks and, therefore, his appointment was against the contract itself.

3. Learned counsel for the petitioner submits that the petitioner was issued a show cause notice, to which he replied. However, the impugned order came to be passed. He does not dispute the factual aspect that the petitioner had secured 819 marks out of 1800 marks in his Graduation, which was less than 50%.

4. In view thereof, the prayer for quashing of the impugned order dated 27.5.2019 and the consequential order for reinstatement of the petitioner in service are rejected. However, as the petitioner has worked from 1.3.2018 till the date of the

impugned order i.e. 27.5.2019, he is entitled for the payment.

5. Thus, opposite parties are directed to make payment @Rs.12,000/- per month to the petitioner for the said period within a period of two months from the date of communication of this order.

6. Subject to above noted terms, the present petition is ***allowed in part.***

Order Date :- 7.7.2023

Rao/-