

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVIL

WRIT PETITION No.2900 of 2008

ORDER:

This writ petition is filed seeking the following relief:

“to issue any writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent university in not regularizing the period from 21.4.1994 to 01.01.2005 as lecturer and inaction in applying the instructions of UGC contained in Circular No.F.3-1/94 (PS) dated 24.12.1998 and as adopted by the University vide No.UH/P-I/CAS(7-2006)/532 dated 05.08.2006 with regard to counting of past service for the purpose of career advancement, as arbitrary, illegal, and discriminatory and consequently direct the university to count the entire service from 01.06.1987 onwards by regularizing the interregnum period for all purposes including CAS and pension and pass such other relief or reliefs as this Honourable Court deems fit and proper in the circumstances of the case.”

Heard Sri P.B.Vijay Kumar, learned counsel for the petitioner and M/s. Indus Law Firm for the respondents.

It has been contended by the petitioner that the respondents have issued advertisement during the year 1993 for filling up the post of Lecturer. In pursuance to the said advertisement, the petitioner had applied for the said post of Lecturer and after undergoing regular selection process, the petitioner was appointed as Lecturer on 21.4.1994. It has been further contended by the petitioner that again the respondents have issued another notification during the year 2004 and she responded to the said notification. After undergoing the selection process, once again the

petitioner was appointed to the post of Lecturer on 1.1.2005 and she joined on 24.1.2005. The grievance of the petitioner is that the respondents are counting the service from 1.1.2005 only for the purpose of pensionary benefits and other service benefits but not from 21.4.1994. Challenging the same, the present writ petition is filed.

Learned counsel for the respondents had contended that the petitioner on being appointed as Lecturer on 1.1.2005, within 20 days, the petitioner was extended the benefit of Senior scale and promoted as Reader by counting the service of the petitioner from 21.4.1994.

This Court having considered the submissions made by both the parties is of the considered view that the respondents have taken specific stand that they would extend all service benefits to the petitioner by reckoning her service as Lecturer from 21.4.1994

Accordingly, the Writ Petition is disposed of directing the respondents to count the service of the petitioner from the date of her initial appointment as Lecturer i.e. 21.4.1994 with all consequential benefits. No costs.

Miscellaneous petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

Date: 10/ 10/ 2018

lkv

