

Krishna Kumar and ors. Vs. State of U.P.

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Court : Allahabad

Decided On : Jul-16-2008

Reported in : [2008(118)FLR711(2)]

Judge : Tarun Agarwala, J.

Appellant : Krishna Kumar and ors.

Respondent : State of U.P.

Disposition : Petition allowed

Judgement :

Tarun Agarwala, J.

1. Heard the learned Counsel for the parties.

The petitioner was appointed as a peon in the year 1997 and is working in that capacity since then. The petitioner applied for regularisation of his services which was rejected by the impugned order on the ground that there is a ban imposed by the State Government on fresh appointment. The petitioner being aggrieved by the said order has filed the present writ petition.

2. In my opinion, the impugned order cannot be sustained. Presuming that the State Government had imposed a ban, the said ban can only be operative for fresh appointment and cannot come in the way for regularisation of the services of

an existing employee.

3. In view of the aforesaid, the impugned order cannot be sustained and is quashed. The writ petition is allowed. The matter is remitted to the authority again to decide the claim of the petitioner with regard to the regularisation of the services within six weeks from the date of the production of a certified copy of this order.

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