

Court No. - 36

Case :- WRIT - A No. - 6582 of 2020

Petitioner :- Sunita Singh

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Arun Kumar Singh

Counsel for Respondent :- C.S.C.,Pranesh Dutt Tripathi

Hon'ble Vivek Agarwal,J.

Notice is waived by Sri Jitendra Singh for respondent no. 1 only. Let notice be issued to other respondents on payment of PF by registered post AD within 7 days returnable within 4 weeks.

Counsel for the petitioner submits that in terms of the policy of the State Government, the petitioner is entitled for benefit of academic Session extension as petitioner,admittedly, completed age of 62 years on 30.6.2019 during the mid-session and, therefore, petitioner should be allowed to continue in her employment.

Since this argument for seeking interim relief is concerned, it is devoid of merit inasmuch as the object of the benefit of session is for those persons belonging to teaching cadre regularly discharging their duties, they are allowed to take academic sessions benefit till expiry of session so that no disruption is caused in grant of instructions to the pupil.

In the present case, admittedly, petitioner was absconding from work since March, 2000 and attained age of superannuation when her special leave petition was pending, therefore, the benefit of keeping the session cannot be extended by way of interim relief to the petitioner. Therefore, prayer for interim relief is rejected.

Let counter affidavit be filed within 4 weeks.

List on 2.11.2020.

Order Date :- 31.8.2020

S.K.S.