

ITEM NO.42

COURT NO.10

SECTION XI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).4794/2009

(From the judgement and order dated 26/11/2008 in
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

SA No. 315/2005

RAVI KANT DWIVEDI

Petitioner(s)

VERSUS

DY.DIRECTOR OF EDUCATION & ORS.

Respondent(s)

(With office report)

Date: 08/07/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE H.L. DATTU

For Petitioner(s) Mr. Shubhranshu Padhi, Adv.
 Mr. Siddhesh Kotwal, Adv.
 Mr. Nirnimesh Dube, Adv.

For Respondent(s) Mr. Shrish Kumar Misra, Adv.
 Ms. Savitri Pandey, Adv.

 Mr. D.K. Singh, Adv.
 Mr. Pradeep Shukla, Adv.
 Mr. Abhijit Sengupta, Adv.

UPON hearing counsel the Court made the following

O R D E R

Having failed to convince the learned Single
Judge and the Division Bench of the Allahabad High
Court to annul the action taken by the management of
Gandhi Mahavidyalaya, Orai to terminate his service

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from the post of Physical Education Superintendent, the
petitioner has filed this petition.

We have heard learned counsel for the parties
and carefully perused the record.

The petitioner was appointed as Physical
Education Superintendent with effect from 9.4.1979
against a non-existing post. Not only this, his
appointment was not preceded by an advertisement and
consideration of the competing claims of all eligible
persons. Therefore, the management of the college did
not commit any illegality by terminating his service
and the learned Single Judge and the Division Bench of
the High Court rightly refused to nullify order dated
20.5.1982.

With the above observations, the special
leave petition is dismissed.

(A.D. Sharma)
Court Master

(Phoolan Wati Arora)
Court Master