

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).17621/2009

(From the judgement and order dated 29/04/2009 in SA No. 527/2009 of the HIGH COURT OF JUDICATURE AT ALLAHABAD)

BHAIYA LAL & ORS.

Petitioner(s)

VERSUS

PURVANCHAL UNIVERSITY & ORS.

Respondent(s)

(With application for exemption from filing O.T.)

Date: 03/08/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE DEEPAK VERMA

For Petitioner(s) Mr. R.D. Upadhyay, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
ORDER

The services of the petitioners having been terminated as far back as 1992, the purported resolution adopted by the respondent - University, in our opinion, has rightly been held to be not applicable in the case of the petitioners. Furthermore, having regard to the Constitution Bench decision of this Court in Secretary, State of Karnataka and Ors. v. Umadevi and Ors., 2006 (4) SCC 1, wherein reliance has been placed in an earlier decision of this Court in A. Umarani v. Registrar, Coop. Societies, 2004(7) SCC 112,

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the Executive Council has no jurisdiction to pass the resolution on the question of appointment as the petitioners have no legal right to be considered for appointment in terms of the said decision or otherwise. The special leave petition is dismissed.

(A.S. BISHT)
COURT MASTER

(PUSHAP LATA BHARDWAJ)
COURT MASTER