

CASE NO.:
Appeal (civil) 2044 of 2008

PETITIONER:
MAMTA GUPTA

RESPONDENT:
STATE OF U.P. AND ORS

DATE OF JUDGMENT: 12/03/2008

BENCH:
S.B. SINHA & P.P. NAOLEKAR

JUDGMENT:
JUDGMENT
O R D E R

CIVIL APPEAL NO. 2044 OF 2008
[Arising out of SLP(C) No.18342/2005]

Leave granted.

Having heard the learned counsel for the parties, we are of the opinion that one of the contentions raised in the writ petition before the High Court being that the Uttar Pradesh Higher Education Services Commission should have fixed some criteria for selection of lecturers in terms of the provisions contained in the Uttar Pradesh Higher Education Services Commission Act, 1980 and the regulations framed thereunder, we are of the opinion that the appellant has made out a prima facie case for hearing the writ petition on merit. In that view of the matter, the impugned judgment is set aside and the matter is remitted to the High Court for consideration of the writ petition afresh on merit.

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We would request the High Court to consider the desirability of disposing of the matter as expeditiously as possible.

The appeal is allowed with the aforementioned observations and direction. No costs.