

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).18342/2005

(From the judgement and order dated 08/08/2005 in CMWP No. 52081/2005 of the HIGH COURT OF JUDICATURE AT ALLAHABAD)

MAMTA GUPTA  
VERSUS

Petitioner(s)

STATE OF U.P. & ORS.

Respondent(s)

(With appln(s) for further direction and with prayer for interim relief and office report)  
(FOR FINAL DISPOSAL)

Date: 12/03/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA  
HON'BLE MR. JUSTICE P.P. NAOLEKAR

For Petitioner(s) Mr. Dinesh Kumar Garg,Adv.  
Mr. Manzoor Ali Khan,Adv.

For Respondent(s) Mr. Rakesh K. Sharma,Adv.  
Mr. R.C. Kaushik,Adv. (not present)

UPON hearing counsel the Court made the following  
ORDER

Leave granted.

Heard the learned counsel for the appearing parties.

The appeal is allowed with observations and direction as contained in the signed order. No costs.

(A.S. BISHT)  
MASTER

(PUSHAP LATA BHARDWAJ) COURT  
COURT MASTER

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

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

MAMTA GUPTA

...

APPELLANT(S)

:VERSUS:

STATE OF U.P. AND ORS.

...

RESPONDENT(S)

ORDER

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.

.....J  
(S.B. SINHA)

.....J  
(P.P. NAOLEKAR)

NEW DELHI,  
MARCH 12, 2008.