

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

IA.No.1 in &
Petition(s) for Special Leave to Appeal (Civil)...../2009
CC 19347/2009
(From the judgement and order dated 01/09/2009 in CWP No.
30104/2006 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

DHARAMVIR SINGH Petitioner(s)
VERSUS
STATE OF U.P.& ORS. Respondent(s)
(With appln. for permission to file SLP and office report)

Date: 08/03/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE C.K. PRASAD

For Petitioner(s) Mr.Pradeep Gupta, Adv.
Mr. Suresh Bharati, Adv.
Mr. Eklavaya Gupta, Adv.
Mr. K.K. Mohan, Adv.

For Respondent(s) Mr. Ashwani Bhardwaj, Adv.
No.5 Mr. Shishir Singh, Adv.
Mr. Pankaj Mishra, Adv.

UPON hearing counsel the Court made the following
O R D E R

Permission to file SLP is granted.

In support of the contention that only one half of the period of substantive service rendered by respondent No.5 could be added to his length of service to determine the seniority of teachers in University, learned counsel for the petitioner has placed reliance on Rule 17.05 (d) of the First Statute, 1977 of Dr. Bhim Rao Ambedkar University, Agra. According to learned counsel Clause-(d) of the said rule would be applicable in the instant case and not Clause-(c), which has been applied by the Division Bench of the High Court.

Issue notice.

Mr. Ashwani Kumar, Advocate appears on behalf of respondent No.5 and waives service of notice. Let notice be issued to the rest of the respondents.

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In the meanwhile, the operation of the impugned judgment shall remain stayed.

[Usha Bhardwaj]
Court Master

[Pushap Lata Bhardwaj]
Court Master