

W.P. No. 1074 (SS) of 05:

**Hon'ble M.M. Ghildiyal, J.**

Heard Sri B.P.S. Mer, learned counsel for the petitioner, learned standing counsel for the state who accepts notice for the respondent nos. 1 to 3 and Smt. Beena Pandey, learned standing counsel for State of U.P.

Counsel for the parties have submitted that the controversy raised in this writ petition is squarely covered by the decision of the Allahabad High Court (Lucknow Bench), Lucknow in writ petition no. 610 (M/B) 1996 Suresh Chandra Sharma & ors. vs. State of Uttar Pradesh & ors. decided on 26<sup>th</sup> November 2001, which is annexed as annexure no 5. to this writ petition. Both the parties requested that this writ petition may be disposed of on the same terms and conditions.

Accordingly, this writ petition is also disposed of on the terms of the aforesaid judgment of High Court Allahabad, Lucknow Bench. The seniority/ promotion of the petitioner shall be reckoned as per the law laid down in the aforesaid judgment and consequential benefits in terms of the aforesaid judgment shall be paid to the petitioner accordingly.

Sd/-

30.07.2005:

NCM: