

Court No.2

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL.

Writ Petition (S/S) No.3380 of 2001

Sri Vimal Kishore Saxena

..... Petitioner

Versus

Vice Chancellor, G.B.Pant University of
Agriculture and Technology, Pantnagar,
District-Udham Singh Nagar And Others.

..... Respondents.

Sri Manoj Tiwari, learned counsel for the petitioner
Sri Rajendra Dobhal, learned counsel for the respondents.

Date: April 22, 2008.

Hon'ble P.C.Verma,J.

By means of this petition the petitioner has sought writ of certiorari for quashing the impugned Circular dated 23.02.2001, contained in Annexure No.2 to the writ petition, issued by respondent No.5.

2. The petitioner was engaged for Hindi-English typing job on contractual basis in an ad-hoc project running in the University. The petitioner was neither appointed by the University nor engaged as daily wager against any vacant post. The payment was made to the petitioner from contingency/operational expenses provided by the funding agency in the time bound Ad-hoc Research Project and according to work bill. Further the Circular dated 23.02.2001 issued by the respondent No.5 was not applicable in case of petitioner. In this Circular direction was issued not to allow to work any daily rated

employee continuously for a period of 179 days at one stretch or for a period of 240 days or more in a year. It was only meant for those candidates who were engaged by the Niyojan Samiti against the vacant post. Further, the petitioner has not filed any appointment letter with the writ petition. The respondents out rightly denied that he has been appointed in the University services.

3. There is no rebuttal on behalf of the petitioner to the contentions made in the counter affidavit.

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4. The writ petition has no merit and is dismissed. No order as to costs.

(P.C.Verma,J.)

22.04.2008

P.Singh