

SB Civil Writ Petition No.1804/2006

Aseem Shanker
V.
Maharana Pratap University of Agriculture and Technology,
Udaipur and others.

Date of Order :: 21st December, 2012

HON'BLE MR.JUSTICE GOVIND MATHUR

Dr. P.S.Bhati, for the petitioner.
Mr. G.R.Punia Senior Advocate, assisted by
Mr. Rajesh Punia, for the respondents.

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It is submitted by counsel for the petitioner that the petitioner is working as Junior Research Fellow on adhoc basis in a project under control of the respondent university. The university is utilising his services from last number of years but instead of regularising him in service, is proceeding to make appointments by holding fresh process of selection under the advertisement dated 24.12.2005 and 13.11.2006. The apprehension of the petitioner is that on making regular selections the respondents shall terminate him from service.

From perusal of the facts averred in the writ petition, documents annexed thereto and also in reply to the writ petition, it reveals that appointment to the petitioner was given in a project and that was co-terminus with the project itself. It is submitted by counsel for the respondents that the project in which the petitioner is working is yet in currency.

Having considered the same and looking to the fact that the petitioner is not pressing his prayer for regularisation in service with liberty to agitate the same by availing some appropriate independent remedy, I deem it appropriate to dispose of this petition for writ by directing the respondent university to continue the petitioner in service till currency of the project. It is further made clear that if the project in which he is presently working came to be concluded, then the case of the petitioner shall be considered on preferential basis for appointment in any other project in hand with the respondent university against a post for which the petitioner possess eligibility.

(GOVIND MATHUR),J.

kkm/ps.