

**Court No. - 51**

**Case :-** CIVIL MISC REVIEW APPLICATION No. - 396 of 2022

**Applicant :-** Birendra Bahadur Singh

**Opposite Party :-** Union Of India And 3 Others

**Counsel for Applicant :-** Santosh Kumar Pandey, Rajendra Kumar Dubey

**Counsel for Opposite Party :-** A.S.G.I., Kshitij Shailendra

**Hon'ble Siddharth, J.**

**Order on Civil Misc. Delay Condonation Application**

This is an application seeking condonation of delay in filing of this review application.

Cause shown for delay in filing of this review application is sufficient.

The delay condonation application is allowed and the delay in filing the review application is condoned.

**Order on Civil Misc. Review Application No. 396 of 2022**

Heard Sri Santosh Kumar Pandey, learned counsel for the review-applicant and Sri Kshitij Shailendra, learned counsel for the respondent nos. 2, 3 and 4.

This review application has been filed by the counsel who had not argued the writ petition. It has been filed on number of grounds which do not constitute any error apparent on the face of record. From the order under review, it is clear that Writ - A No. 17705 of 2021 was dismissed by this court by the order dated 21.06.2022 after considering the arguments of the earlier counsel for the petitioner and also on the ground that earlier also the petitioner had filed a Writ A No. 12256 of 2003 which was dismissed by the order dated 23.02.2004 wherein it was held that the applicant has been working on contract basis without there being any sanctioned post. He accepted the appointment on the terms and conditions of service existing at the relevant time and therefore he cannot claim any regularization in service or direction for creating the post. In the review application, it has been pleaded that the applicant was denied relief in Writ - A No. 12256 of 2003 because of wrong affidavit filed on behalf of respondent-University. He was appointed as guest-lecturer in 1995 and has worked up to 2019. He possesses qualification for appointment on the post of

lecturer. He is entitled to equal pay for equal work since he has performed the duties similar to regular lecturer. His dues amounting to Rs. 8,17,000/- has not been paid to him. His claim for regularization was illegally turned down while dismissing the Writ- A No. 12256 of 2003. Number of other new grounds have been raised which cannot be considered in review petition. No ground for review of the order dated 21.06.2022 has not clearly been stated in the review application.

Counsel for the University has opposed the review application on the ground that it raises issues which have already been settled by this court in the year 2004 while dismissing the Writ A No. 12256 of 2003.

After considering the rival submissions, this court does not finds any good ground for review of the order dated 21.06.2022

The review application is accordingly, ***rejected***. No order as to costs.

**Order Date :- 31.10.2022**

Rohit