

(2009) 04 AHC CK 0698
In the Allahabad High Court

Ambika Prasad Shukla S/O Deo Datt & Others	APPELLANT
Vs	
Director Basic Education, U.P., Lucknow & Others	RESPONDENT

Date of Decision : 09-04-2009

Acts Referred:

Citation : (2009) 04 AHC CK 0698

Hon'ble Judges : Abhinava Upadhya, J

Final Decision : Disposed Of

Judgement

Abhinava Upadhya, J.

Heard Sri Pradeep Shukla, learned counsel for the petitioners and Sri Jogendra Nath Verma, learned counsel for respondents No. 2 and 3. Learned Standing Counsel represents respondent No.1.

The petitioners are Assistant Teachers in junior high school maintained by the Basic Education Board. They are claiming benefit of Clause III of Government Order dated 20.12.2001 which provides that the assistant teachers will be entitled for promotional pay scale after completing twelve years of satisfactory service in the selection grade to the extent of 20% of the strength of the cadre. The petitioners claim that they fall within the 20% of the cadre strength but the authorities are not considering their claim. According to the petitioners even juniors to the petitioners have been granted this benefit, aggrieved by which, the petitioners have made several representations before the concerned authority but no action till date has been taken. Therefore, the petitioners have no other option but to approach this Court invoking its jurisdiction under Article 226 of the Constitution. However, the petitioners confine their prayer for seeking a direction to the Basic Shiksha Adhikari to consider and dispose of the representation pending before him within a time period that may be specified by the Court.

Accordingly, the writ petition is disposed of with the direction to the concerned Basic Shiksha Adhikari to consider the claim of the petitioners and dispose it of in accordance with law within a period of two months from the date a certified copy

of this order is produced before him.

With this observation, the writ petition is disposed of.