
(2021) 09 UK CK 0063

In the Uttarakhand High Court

Case No : Writ Petition (S/S) No. 1158 Of 2021

Bachan Singh Bisht

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 10-09-2021

Acts Referred:

Citation : (2021) 09 UK CK 0063

Hon'ble Judges : Ravindra Maithani, J

Bench : Single Bench

Advocate : Vinay Kumar, B.S. Kathayat, P.S. Bisht

Final Decision : Disposed Of

Judgement

Ravindra Maithani, J

1. By means of the instant writ petition, petitioner seeks the following reliefs:

"(i) Issue a writ, order or direction in the nature of Certiorari quashing the order dated 01st June 2021 issued by the District Education Officer (Elementary Education) Pauri Garhwal, as well as quashing the reliving order dated 08th June 2021 issued by the Deputy Education Officer (Elementary Education), Block Jairikhal District Pauri Garhwal. (Annexure No.1 & 2 respectively), so far as it relates to the petitioner, being in violation of the Govt. Order dated 7th August, 2018.

(ii) Issue a writ, order or direction in the nature of Mandamus directing the respondents to absorb the petitioner in the School situated in the Block Jaharikhal, after conducting counselling as contemplated in the Govt. Order dated 7th August 2018.

(iii) Issue a writ, order or direction in the nature of Mandamus directing the respondents decided the representation dated 2nd July 2021 (Annexure No.4) of the Petitioner in the light of the provisions of the Govt. Order dated 7th August 2018.

(iv) Issue any suitable writ, order or direction which this Hon'ble Court may deem fit and proper in the circumstances of the case.

(v) Award the cost of writ petition to the petitioner."

2. It is the case of the petitioner that he was posted as Assistant Teacher (General) in Government Upper Primary School Kharkoli, Block Jairikhal. But, since the number of students became zero, he was transferred/absorbed at Government Upper Primary School, Rikhar, Block Bironkhal, District Pauri Garhwal by the impugned order dated 01.06.2021.

3. It is the case of the petitioner that order dated 01.06.2021 has been passed in defiance of the earlier Government Orders.

4. Heard learned counsel for the parties and perused the record.

5. While arguing, learned counsel for the petitioner restricts his prayer to the effect that the respondents may be directed to decide the representation dated 02.07.2021 (Annexure no.4 to the writ petition) filed by the petitioner within the given time.

6. Learned State counsel would submit that the representation dated 02.07.2021 (Annexure no.4 to the writ petition) filed by the petitioner will be decided by the respondents within a period of one month from today.

7. The Court takes on record the statement given by the learned State counsel.

8. The writ petition is disposed of with the direction to the respondents to decide representation dated 02.07.2021 (Annexure no.4 to the writ petition), filed by the petitioner within a period of one month.