

(2024) 07 UK CK 0022

In the Uttarakhand High Court

Case No : Writ Petition (S/S) No. 1800 Of 2018

Chakradhar And Another

APPELLANT

Vs

State Of Uttarakhand& Others

RESPONDENT

Date of Decision : 04-07-2024

Acts Referred:

Citation : (2024) 07 UK CK 0022

Hon'ble Judges : Pankaj Purohit, J

Bench : Single Bench

Advocate : Bhagwat Mehra, Pradeep Hairiya

Final Decision : Allowed

Judgement

Pankaj Purohit, J

1. By means of this writ petition, petitioner has challenged the orders dated 08.12.2017 and 13.12.2017 (annexure nos.6 and 7), passed by respondent nos.1 and 2, respectively, as well as the consequential order dated 16.12.2017 passed by respondent no.3 (annexure no.5), whereby selection grade which has been provided to the petitioner working on ad-hoc service as Assistant Teacher, L.T. Grade has been withdrawn.

2. Heard learned counsel for the parties.

3. Learned counsel for the petitioner submits that such controversy has been set at rest by a Co-ordinate Bench of this Court in Writ Petition (S/S) No.2602 of 2019 and batch of writ petitions have been disposed-off on 13.12.2021 and case of the petitioner is completely covered by the said judgment.

4. The challenge raised in this writ petition is no more res integra in view of the judgment passed by this Court in WPSS No. 2602 of 2019 (Dinesh Singh and others vs. State of Uttarakhand & others) and others, which were decided by a common judgment dated 13.12.2021 passed by this Court by issuing a writ of mandamus to the respondents to consider and grant the selection grade to the

petitioner in light of the Government Order dated 12th July, 2002, after reckoning the period of satisfactory service rendered by him from the date of the grant of ad-hoc appointment when the "Sadharan Vetanman" was made payable, which will fall to be within the ambit zone of consideration under Clause (1) of the Government Order dated 12th July, 2002.

5. Accordingly, writ petition is allowed, subject to the aforesaid observations.

6. Pending applications, if any, stand disposed of accordingly.