
(2024) 09 UK CK 0131

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 2525 Of 2024

Committee of Management

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision : 24-09-2024

Acts Referred:

Citation : (2024) 09 UK CK 0131

Hon'ble Judges : Pankaj Purohit, J

Bench : Single Bench

Advocate : Alok Mahra, Anil Dabral, Suyash Pant

Final Decision : Disposed Of

Judgement

Pankaj Purohit, J

1. Heard learned counsel for the parties.
2. Petitioner is Committee of Management of Arya Kanya Pathshala, Inter College, Roorkee, District Haridwar. There were four posts of Lecturer and twelve posts of Assistant Teacher L.T. Grade in the aforesaid college. For the purpose of filling up the aforesaid vacancies, the permission was granted to the petitioner on 28.06.2019. Pursuant to the permission granted to the petitioner on 28.06.2019, no selection could have been made, therefore, subsequent permission was also granted on 28.06.2022. Pursuant to the subsequent permission, the advertisement was issued on 08.07.2022 in two daily newspapers circulating in the area. Thereafter, respondent no.4 sent a letter dated 28.10.2022 addressed to the Manager of the College that since only two applications were received, the selection process could not be completed. After receiving the letter dated 28.10.2022, petitioner send a letter on the same day to the respondent no.4 wherein he has sought permission to re-advertise the posts on the ground that since 90 days have been expired, therefore, as per the provisions of 10(सप्त) of the Regulations 2009 framed under Uttarakhand School Education Act, 2006, the post is to be re-advertised.

4. Hence, the petitioner is before this Court by moving this writ petition for a direction to the respondent no.4 to grant permission to the petitioner to issue fresh advertisement for the post of Assistant Teacher, L.T. Grade (Social Science) reserved for Economically Weaker Section.

5. For the said purpose, petitioner has moved a representation to the respondent no.4 dated 06.08.2024, which is annexed as annexure-13 to the writ petition.

6. It is submitted by learned counsel for the petitioner that the said representation of the petitioner is pending consideration and no order has been taken on the said representation as yet by the Competent Authority. He further submits that if a direction is issued to respondent no.4 to take a decision on the petitioner's representation dated 06.08.2024, the ends of justice would be met.

7. To this proposition, there is no objection from the side of learned State Counsel.

8. Accordingly, the writ petition is disposed of. Respondent no.4-Chief Education Officer, Haridwar is hereby directed to take speaking and reasoned decision on the petitioner's representation dated 06.08.2024, annexure-13 to the writ petition, in the light of provisions of 10(घघ) of Regulations, 2009, within a period of one month from the date of production of certified copy of this order.

9. Pending application, if any, stands disposed of.