
(2022) 10 UK CK 0046

In the Uttarakhand High Court

Case No : Writ Petition (S/B) No. 288 Of 2022

Deepak Kumar And Others

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 18-10-2022

Acts Referred:

Citation : (2022) 10 UK CK 0046

Hon'ble Judges : Vipin Sanghi, CJ; R.C. Khulbe, J

Bench : Division Bench

Advocate : T.A. Khan, Mohd. Shafy, J.C. Pandey, Yogesh Pacholia

Final Decision : Allowed

Judgement

Vipin Sanghi, CJ

1. The petitioners have preferred the present writ petition to seek the following reliefs:-

"I. To issue a writ order or direction in the nature of certiorari quashing the govt. order dated 10.02.2021 issued by the respondent no. 1 (Contained as Annexure no. 1 to this petition).

II. To issue a writ order or direction in the nature of mandamus declaring that the training diploma of D.El.Ed. conducted by National Institute of Open Schooling NOIDA (through ODL mode) in elementary education, is valid diploma for the purpose of applying against the regular post of Assistant Teachers in Govt. Primary Schools in the state of Uttarakhand.

III. To issue a writ order or direction in the nature of mandamus commanding the respondents no. 1 and 2 to permit the petitioners to participate in the ongoing selection process for the post of Assistant Teachers (elementary) in govt. primary schools, in pursuance to the advertisements (Annexure no. 5 to this petition) issued by the District Education officers of all the Districts in the state of Uttarakhand and may also be directed to consider the candidatureship of the

petitioners for the appointment on the post of Assistant Teachers in govt. primary schools.”

2. The issues raised in the present petition have already been considered by us in a batch of writ petitions, including Writ Petition (S/S) No. 350 of 2021 Nandan Singh and others vs. State of Uttarakhand and another, which was decided on 14.09.2022. We have allowed the said petitions, and held that the 18 month D.El.Ed. Training Diploma conducted through the ODL mode in elementary education by the NIOS is a valid Diploma for applying against the regular posts of Assistant Teachers (Primary) in the State of Uttarakhand. The respondent-State has been directed to consider their candidatures for the said posts on the basis of the applications made by them pursuant to the advertisement. The Order dated 10.02.2021 issued by the issued by the Secretary, Department of Elementary Education, Uttarakhand, Dehradun was quashed by us.

3. Following the said decision, the present petition is also allowed in the same terms.