

(2011) 08 UK CK 0060

In the Uttarakhand High Court

Case No : Writ Petition (S/B) No. 243 of 2011

Dr. Ranjeet Singh Raphal

APPELLANT

Vs

State of Uttarakhand and Others

RESPONDENT

Date of Decision : 30-08-2011

Acts Referred:

Citation : (2011) 08 UK CK 0060

Hon'ble Judges : Barin Ghosh, C.J;V.K. Bist, J

Bench : Division Bench

Judgement

1. A similar claim is pending decision in Writ Petition (S/B) No. 52 of 2010. We, accordingly direct this matter to be listed alongwith the said writ petition on 28th November, 2011.

2. In the said writ petition, in the circumstances mentioned in our order dated 26th August, 2011, we have passed an interim order. That interim order does not protect the Petitioner, since he is not a member of the union-writ Petitioner, who filed the said writ petition. However, the Petitioner sails in the same boat as the members of the Petitioner in the said writ petition. Accordingly, we direct the employer of the Petitioner to keep the Petitioner engaged even after 31st August, 2011 until the Government has taken a decision whether to implement the recommendation of UGC to enhance the age of superannuation of teachers upto the age of 65 years which recommendation has been accepted by the committee engaged by the State Government for pondering over the issue or until this Court decides the fate of this writ petition finally. It is made clear that the continuation of the Petitioner shall be such that he shall be entitled to all the benefits of his service including the decision that may be taken by the Government or the decision that may be rendered by this Court in future regarding enhancement of the age of superannuation of teachers upto 65 years. However, the Petitioner, during the period he will be serving after 31st August, 2011, will not be entitled to any salary nor shall be entitled to claim or be paid any terminal benefits until further orders.

3. Interim Relief Application stands disposed of.
4. Let a copy of this order be handed over to the learned Counsel for the Petitioner today.