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**(2021) 03 UK CK 0069**

**In the Uttarakhand High Court**

**Case No : Writ Petition (M/S) No. 506 Of 2021**

Manoj Aswal

APPELLANT

Vs

Secretary Department Of Education & Others

RESPONDENT

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**Date of Decision : 08-03-2021**

**Acts Referred:**

**Citation : (2021) 03 UK CK 0069**

**Hon'ble Judges : Manoj Kumar Tiwari, J**

**Bench : Single Bench**

**Advocate : Akshay kumar, Jagdish Singh Bisht**

**Final Decision : Disposed Of**

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## **Judgement**

Manoj Kumar Tiwari, J

1. Heard learned counsel for the parties.
2. By means of present writ petition, petitioner has sought the following reliefs:-
  - i) Issue a writ, order or direction in the nature of certiorari quashing the impugned order dated 31.12.2019 contained in annexure no.5 of the writ petition.
  - ii) Issue writ, order or direction in the nature of mandamus commanding the respondent authorities Chief Education Officer Pauri Garhwal to conduct the elections due of the committee of management.
3. According to the petitioner, Inter College Dwarikhhaal Bhyaansu Pauri Garhwal is being run by a Society and no election for constituting the Managing Committee of the said Society has been held after the year 2015. It is the case of the petitioner that term of the Managing Committee had expired in 2018 and thereafter Authorized Controller appointed by the Additional

Director is managing the affairs of the College. In view of the statement made by the learned counsel for the petitioner that the Managing Committee of the College needs to be reconstituted at the earliest, Standing Counsel was asked to get instructions in the matter. Today, the learned Standing Counsel has passed on the written instructions received by him from the Office of Authorized Controller, which are taken on record. In para-4 of the written instructions, it has been assured that process for holding the election would be initiated within one month.

4. Having regard to the facts and circumstances of the case, the writ petition is disposed of with the following directions :-

(i) Authorized Controller shall get advertisement published in two newspapers for inviting applications from eligible persons for induction as member of the society within two weeks.

(ii) Competent Authority shall thereafter prepare a voter list within next three weeks.

(iii) Competent Authority shall fix a date for election at the earliest, but not later than two weeks from the date of preparation of voter list.

(iv) Authorized Controller shall handover charge to the newly elected Managing Committee, within seven days from the date of declaration of result of election.

5. Let certified copy of this order be supplied to the parties within 24 hours.