
(2011) 07 SHI CK 0035
In the High Court Of Himachal Pradesh
Case No : CWP (T) No. 15005 of 2008

Mohan Lal Sharma

APPELLANT

Vs

State of H.P. and Another

RESPONDENT

Date of Decision : 29-07-2011

Acts Referred:

Citation : (2011) 07 SHI CK 0035

Hon'ble Judges : Surjit Singh, J

Bench : Single Bench

Final Decision : Allowed

Judgement

Surjit Singh, J.—Heard.

2. Present case is covered by a judgment, delivered by this Court, in Chaitanya Dev Sharma v. State of Himachal Pradesh and another, CWP(T) No. 15003 of 2008, decided on 8th March, 2011. Facts and the questions involved are similar.

3. In the aforesaid case (CWP(T) No. 15003 of 2008, some Instructors of ITI, who had put in more than five years of service, but had not undergone one year CTI training, had not been considered for the post of Principal, ITI. They approached the Court with the prayer that direction be issued to the Respondents to consider them for the post of Principal, pleading that CTI training of one year could have been undergone only if the Department sponsored them for such training and the Petitioners having not been sponsored they could not be blamed for their having not undergone such training. They also placed on record a letter dated 13th January, 2005, issued by the Deputy Director of Training, Ministry of Labour and Employment, Government of India, which said that those of the Instructors, who had put in five years of service, would be exempt from one year CTI training and would be allowed to undertake only one module on Training Methodology covering Principles of Teaching (POT) of three months duration.

4. Relying upon the aforesaid letter dated 13th January, 2005, this Court, in the

aforesaid matter, allowed the writ petitions and ordered that the Petitioners having put in requisite number of years of service as Group Instructors, were required to be considered for the post of Principal, even if they had not undergone one year CTI training. It appears from the judgment that for being eligible for the post of Principal a Group Instructor has to be in service for six years.

5. In the present case, the Petitioner had been in service since 1974. That means he had been in service for more than six years. Therefore, the petition is allowed and the Respondents are directed to consider the Petitioner for the post of Principal, which became available on or after 13th January, 2005.

Writ petition stands disposed of.