

(2005) 03 GAU CK 0066
In the Gauhati High Court

Nongmaithem Mani Singh	Vs	APPELLANT
State of Manipur and Ors.		RESPONDENT

Date of Decision : 31-03-2005

Acts Referred:

Citation : (2005) 03 GAU CK 0066

Hon'ble Judges : T.Nanda Kumar Singh, J

Bench : Single Bench

Advocate : Jalal Uddin, Ajoy Pebam, Advocates appearing for Parties

Judgement

Heard Mr.Ajoy Pebam. learned counsel for the petitioner as well as Mr.Jalal learned GA.

As agreed to by both the parties, this writ petition is taken up for final disposal at this stage.

The short factual matrix of the present writ petition is that the petitioner was initially appointed as Headmaster of Bhubon High School, Keirenphabi, Bishnupur District, Manipur on 1.2.1971. Further case of the petitioner is that, Inspector of Schools now called 18.12.1980 approved Zonal Education Officer under his order dated the appointment of the petitioner by the Chairman, of the Aided School, i.e. Bhubon High School, Keirenphabi, Bishupur District till he was placed under suspension vide order of the Secretary, School Managing Committee dated 17.9.99. The order of the Secretary, School Managing Committee dated 17.9.99 for placing the petitioner under suspension was latter on revoked by the Director of Education (S), Govt of Manipur vide order being No. 46/1/98ED(G) dated 23.9.2000.

Thereafter, Secretary, School Managing Committee of Bhubon High School, Keirenphabi, issued another order at AnnexureA/9 being No. 113BHS/2001 dated 6.1.2001 for revocation of the suspension of the petitioner in pursuance of the said order of revocation of the Director of Education (S), Government of Manipur. Because of some allegation against the petitioner, the Director, Education (S),

Government of Manipur issued another order being No. 46/I/98ED(G) dated 20.1.2001 for canceling his earlier order dated 23.9.2000 and thereafter restoring the order of the Secretary, School Managing Committee dated 17.9.1999 for placing the petitioner under suspension. After holding inquiry against the petitioner, the Secretary, School Managing Committee issued order being No. 1/4BHS/2001 dated 16.5.2001 for terminating the petitioner. Against the said order of the Secretary, School Managing Committee dated 16.5.2001 the petitioner preferred an appeal dated 11.6.2001 under Rule 6 of the Government Aided Private Schools (Discipline, Punishment & Appeal) Rules, 1975 before the Appellate Tribunal. But the petitioner filed this Writ petition under the wrong Impression that his appeal dated 11.6.2001 was disposed of by the Appellate Authority, though on further inquiry, it has been found that the appeal dated 11.6.2001 is still pending before the Appellate Authority and therefore, the Petitioner Misc.appln for a direction to the said Appellate Authority to dispose of the said appeal.

Considering the submission of learned counsel for both the parties as well as perusal of the materials on record, it appears that this writ petition could be disposed of by directing the said appeal dated 11.6.2001. Accordingly, this writ petition is disposed of with the direction to the Appellate Authority under Rule 6 of Section 3 of the Government Aided Teachers (Discipline, Punishment & Appeal) Rules, 1975 to dispose of the said appeal dated 11.6.2001 (Annexure A18 to ... the present writ petition) by passing reasoned order preferably within two months from the date of receipt of this judgment & order.

With the above observation and direction, this writ petition is disposed of. No order as to costs.