
(2024) 01 UK CK 0031

In the Uttarakhand High Court

Case No : Writ Petition (S/S) No. 757 Of 2020 (S/S)

Pramod Kumar

APPELLANT

Vs

Director, Youth Welfare And Prantiya Rakshak Dal And Others

RESPONDENT

Date of Decision : 06-01-2024

Acts Referred:

Citation : (2024) 01 UK CK 0031

Hon'ble Judges : Pankaj Purohit, J

Bench : Single Bench

Advocate : Dinesh Gahtori, Bhupendra Singh Koranga, Vinay Kumar

Final Decision : Disposed Of

Judgement

Pankaj Purohit, J

1. Heard learned counsel for the parties.
2. The petitioner has challenged the order dated 10.07.2020 issued by respondent no.3 whereby the petitioner was replaced by respondent no.5 from the duty as PRD volunteer from the officer of respondent no.4.
3. It is the case of the petitioner that petitioner is an enrolled volunteer in the Prantiya Rakshak Dal and owing to his enrolment with respondent no.1, the petitioner was sent for duties in the office of respondent no.4 on 31.01.2019. But, by virtue of the impugned order dated 10.07.2020, the petitioner was replaced from the said duty by respondent no.5
4. It is submitted by the learned counsel for the petitioner that since the petitioner is enrolled as volunteer with Prantiya Rakshak Dal and he has never been offered any duties for the last three years after his replacement from his duties at Piran Kaliyar, he submits that respondents be directed to provide him duty as per Government Order dated 22.12.2005.
5. So far as the grievance of the petitioner for his replacement by respondent

no.5 is concerned, this Court finds that petitioner has got no indefeasible right to continue in the office of respondent no.4 and once he has been replaced, he cannot force upon respondent no.1 to engage him for duties at the said institution i.e. office of respondent no.4.

6. I have perused the Government Order, which has been referred by the petitioner and brought on record by filing a supplementary affidavit, this Court is of the opinion that if the petitioner is enrolled as a volunteer with Prantiya Rakshak Dal, respondent nos.1 and 2 should take the service of the petitioner by sending him for duties in the institution. In para 3 of the said Government Order, it is provided that the Prantiya Rakshak Dal shall prepare a roster in each district for posting of the trained volunteers and every volunteer shall be given posting maximum for a period of six months and after six months, the person, who is there in roster should be replaced by another volunteer so that each and every volunteer in the PRD could get engagement.

7. I have considered the contents of Government Order dated 22.12.2005, this Court finds substance in the submission made by learned counsel for the petitioner. It is admitted that the petitioner is an enrolled volunteer with the PRD as is reflected from the letter dated 31.01.2019, Annexure No.1 to the writ petition whereby earlier he was sent for duties with respondent no.4.

8. Having considered the provisions of the Government Order, the writ petition is disposed of finally and respondents nos.1 and 2 are directed to assign duties to the petitioner, who is enrolled as volunteer in the PRD in view of Government Order dated 22.12.2005 as well as the fact that he has never been assigned duties since 20.07.2020.

9. With the aforesaid observations, the writ petition stands disposed of.