

(2022) 09 UK CK 0126

In the Uttarakhand High Court

Case No : Writ Petition (S/B) No. 259 Of 2022

Rahul Kumar & Others

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision : 22-09-2022

Acts Referred:

Citation : (2022) 09 UK CK 0126

Hon'ble Judges : Vipin Sanghi, CJ; R.C. Khulbe, J

Bench : Division Bench

Advocate : Rahul Consul, Gajendra Tripathi, Yogesh Kumar Pacholia, Shashank Upahyaya, Monika Pant

Final Decision : Allowed

Judgement

Vipin Sanghi, CJ

1. The petitioners, who have done their D.El.Ed., from the National Institute of Open Schooling through O.D.L. mode in 18 months, as they were in-service teachers, have preferred this writ petition to seek the following reliefs:-

"i. Issue an order or direction summoning the relevant records from the office of the respondent no.1 and issue a writ in the nature of certiorari quashing the impugned order dated 10.02.2021, passed by Secretary, Department of Elementary Education, Uttarakhand, Dehradun, the respondent no.1 (contained as Annexure No.20 to this writ petition).

ii. Issue a writ, order or direction in the nature of mandamus declaring that the D.El.Ed. training diploma conducted through ODL mode in elementary education, organized by the NCTE, the competent academic authority, is a valid diploma for the petitioners for applying against the regular posts of Assistant Teachers in Government Primary Schools of the State of Uttarakhand.

iii. Issue a writ, order or direction in the nature of mandamus commanding and directing the respondent nos.1 and 2 to consider the candidature of the

petitioners for appointment on the post of Assistant Teachers in the Government Primary Schools on the basis of the applications made by the petitioners pursuant to the advertisement issued by the department of Elementary Education, Uttarakhand, Dehradun.

iv. Issue any writ, rule, order or direction which this Hon'ble Court may deem fit and proper under the circumstances of the case."

2. The issue raised in this writ petition is squarely covered by our judgment dated 14.09.2022, rendered in Writ Petition (S/S) No.350 of 2020 and other connected matters.

3. Accordingly, the writ petition is allowed in terms of the aforesaid judgment.