

(2024) 09 UK CK 0022

In the Uttarakhand High Court

Case No : Writ Petition (S/S) No. 1601 Of 2024

Rajni Tandon

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 02-09-2024

Acts Referred:

Citation : (2024) 09 UK CK 0022

Hon'ble Judges : Pankaj Purohit, J

Bench : Single Bench

Advocate : Anup Kumar Verma, Pradeep Hairiya

Final Decision : Disposed Of

Judgement

Pankaj Purohit, J

1. Heard learned counsel for the parties.
2. By means of this writ petition, petitioner has sought the indulgence of this Court for a direction to respondents to consider the case of the petitioner for deciding her representation dated 16.08.2024 (Annexure No.1 to the writ petition) for her transfer from present place of posting i.e. Government Model Primary School, Bana, Block Dhari, District Nainital to any other school situated in accessible area in Block Haldwani, District Nainital.
3. It is the case of the petitioner that she is posted in the present place of posting since 2016. Before serving this School, petitioner was posted in Government Primary School Chiniya, Block Dhari, District Nainital, where, she served from 07.12.2012 to August, 2016 for a period of about 04 years.
4. It is contended by learned counsel for the petitioner that both these schools are situated in remote area, and, therefore, the claim of the petitioner is now matured for her transfer in an accessible place. Petitioner participated in the counseling for transfer from remote area to accessible area which was held on 08.07.2024, but, petitioner could not have been transferred to the School opted

by her simply for the reason that according to respondent-State, she could not transferred from Government Model School to other School.

5. Thereafter, petitioner has moved a representation dated 16.08.2024 to respondent No.3 mentioning therein the name of 04 Government Primary Schools and 02 Government Model Primary Schools situated in Block Haldwani. The said representation of the petitioner is still pending consideration.

6. Learned counsel for the petitioner made an innocuous prayer that if a direction be issued to respondent No.3 to decide the representation of the petitioner dated 16.08.2024 within a time bound manner, the end of justice would be met.

7. Learned State Counsel was called for the instruction in the matter vide order dated 24.08.2024. Today, on instruction, it is submitted by learned State Counsel that the names of School, which have been given by the petitioner in her option, have been filled up and the petitioner had to submit a fresh representation.

8. Learned counsel for the petitioner however submits that the names of Schools, which were given by petitioner in her representation, are yet vacant. This fact is not disputed by learned State Counsel.

9. In this view of the matter, writ petition is finally disposed of with a direction to respondent No.3-District Education Officer, Elementary Education, Nainital to take a decision on petitioner's representation dated 16.08.2024 (Annexure No.1 to the writ petition), within a period of six weeks' from the date of production of certified copy of this order.

10. Pending application, if any, also stands disposed of.