

---

**(2015) 07 UK CK 0029**

**In the Uttarakhand High Court**

**Case No : Writ Petition No. 48 of 2011 (S/S)**

Ramayan Ram

APPELLANT

Vs

State of Uttarakhand and Others

RESPONDENT

---

**Date of Decision :** 16-07-2015

**Acts Referred:**

**Citation :** (2015) LabIC 4086

**Hon'ble Judges :** V.K. Bist, J.

**Bench :** Single Bench

**Advocate :** Ajay Veer Pundir, for the Appellant; Lalit Samant, Brief Holder, for the Respondent

**Final Decision :** Disposed Off

---

## **Judgement**

V.K. Bist, J.—Present petition has been filed by the petitioner against the order dated 12.01.2011 passed by the respondent No. 5, whereby the earlier order dated 28.12.2010, by which additional charge of C.R.C. Coordinator was given to the petitioner at C.R.C. Chandani, District Champawat, was cancelled. In the year 2010, petitioner was appointed as Assistant Teacher in Government Primary School, Gaidakhali, District Champawat. 44 posts of C.R.C. Coordinator were created under the Sarva Shiksha Abhiyan. The respondents considered various Teachers for giving additional work of C.R.C. Coordinator. Petitioner was also considered and vide order dated 28.12.2010, the petitioner was given additional work of C.R.C. Coordinator. The complaint of the petitioner is that the work of C.R.C. Coordinator has been withdrawn from him by passing one line order. Hence, the present writ petition has been filed by the petitioner.

2. Learned counsel for the petitioner submits that initially, additional work of C.R.C. Coordinator was given to the petitioner by considering his merit being a veteran athlete. He submitted that since no opportunity of hearing was afforded to the petitioner before passing the order impugned and since the same is a one line order, the same deserves to be quashed.

3. Respondents have filed counter affidavit. It is the case of the respondents that the District Project Officer, Sarv Shiksha Abhiyan, Champawat passed an order on 28.12.2010, by which he granted permission to the petitioner to work on the post of C.R.C. Coordinator at Chandani, till the further orders. This additional work was assigned to him in addition to his normal duty i.e. teaching work, for which he is posted at Government Primary School, Gaidakhali, District Champawat. In pursuance of the said order, the Block Education Officer, Champawat passed an order on 11.01.2011, by which he directed the petitioner to perform the duty on the post of C.R.C. Coordinator at C.R.C. Centre Chandani till the further arrangement is made. But the said order of the Block Education Officer was not given any effect to, as the District Project Officer, Sarv Shiksha Abhiyan, Champawat passed another order on 12.01.2011, on the basis of the direction issued by the District Education Officer, Champawat, by which earlier order dated 28.12.2010 was cancelled. It is denied in the counter affidavit that the petitioner was performing well in the field of Sarva Shiksha Abhiyan and also taking interest for the implementation of the policies of Sarv Shiksha Abhiyan. It is also submitted in the counter affidavit that neither the petitioner was appointed against the vacant post of C.R.C. Coordinator at C.R.C. Centre Chandani, District Champawat nor his selection was made as per the law. Now, it is also submitted that in the counter affidavit that the selection procedure for the post of C.R.C. Coordinator is given in the Government Order dated 07.02.2008, which provides that the appointment is to be made through a written examination conducted by a Selection Committee constituted at the District level and on the basis of marks obtained in the written test, the principal D.I.E.T. has to prepare a merit list and the same has to be made available to the Additional District Education Officer and thereafter, the said list is to be sent to the District Education Officer for its approval and only thereafter, the appointment is to be made on the post of C.R.C. Coordinator. Learned Brief Holder submitted that now, procedure for appointment as a C.R.C. Coordinator has been provided in the Government Order dated 07.02.2008 and in case the selection process is held in future, the petitioner can participate in the said selection process.

4. Heard the learned counsel for the parties and perused the papers available on record. I find that though the petitioner was given additional charge of C.R.C. Coordinator on 28.12.2010, but that was only an additional charge. The said additional charge was not given after following the due procedure provided in the Government Order dated 07.02.2008. The order dated 28.12.2010 giving additional charge of C.R.C. Coordinator to the petitioner was for a short period.

5. In view of this Court, the petitioner cannot claim his right to continue on the post of C.R.C. Coordinator for indefinite period, inasmuch as, he was given additional charge of C.R.C. Coordinator and the same was withdrawn by the competent authority. I do not find any illegality in the order impugned. However, it is provided that in case, in future, the respondents" fill the posts of C.R.C. Coordinator as per the procedure defined in the Government Order dated 07.02.2008, the respondents will consider the candidature of the petitioner as

well as other candidates strictly in accordance with law.

6. With the observation made above, the writ petition is disposed of finally. Stay application also stands disposed of. No order as to costs.