
(2020) 06 SHI CK 0222
In the High Court Of Himachal Pradesh
Case No : CWPOA No. 609 Of 2019

Ranbir Kumar

APPELLANT

Vs

State Of Himachal Pradesh And Others

RESPONDENT

Date of Decision : 23-06-2020

Acts Referred:

Citation : (2020) 06 SHI CK 0222

Hon'ble Judges : Ajay Mohan Goel, J

Bench : Single Bench

Advocate : Onkar Jairath, Somesh Raj, Dinesh Thakur, Sanjeev Sood, Divya Sood

Final Decision : Disposed Of

Judgement

Ajay Mohan Goel, J

1. By way of this petition, the petitioner has prayed for the following substantive reliefs:-

"i) that the Respondents may be directed to take over the services of the Petitioner as Language Teacher with all consequential benefits from the date the Erstwhile Adarsh High School, Zamanabad, District Kangra has been taken over i.e. 20.04.2007. Alternatively, the Respondents may be directed to appoint the Petitioner on the post of TGT (Arts) without all consequential benefits on the basis of his educational qualification.

ii) That in alternate, the Respondents may be directed to take over the services of the Petitioner as Clerk on regular basis instead of on contract basis.

Iii) That thhe entire relevant record pertaining to the case may kindly be ordered to be summoned from the respondents for the kind perusal of this Hon'ble Court.

iv) That the cost of the petition may kindly be awarded in favour of the Petitioner and against the respondents.

v) That any other order which this Hon'ble Court may deem just and proper in the facts and circumstances of the case may also be passed in favour of the petitioner and against the respondents."

2. When this case was taken up for consideration, learned Additional Advocate General pointed out that during the pendency of the appeal, the petitioner stood appointed as Language Teacher and his services stand regularized, and therefore, the petition has become infructuous.

3. Learned Counsel for the petitioner submits that though the petitioner stood appointed and regularized as Language Teacher, however, as far as his claim in the petition for being appointed as Language Teacher as from the date, the Institution, in which he was employed, stood taken over by the State is concerned, it will be in the interest of justice in case this petition is disposed of with liberty to the petitioner to approach the authority concerned by way of an appropriate representation for the redressal of this aspect of the matter.

4. In view of subsequent developments, this petition is disposed of, however, with liberty to the petitioner to approach the authorities concerned for redressal of his grievance of his services not being taken over as Language Teacher as from the date, the Institution in which petitioner was employed, was taken over by the Government. In case, any representation is filed by the petitioner within a period of four weeks from today, then the Authority concerned shall decide the same, in accordance with the Rules, after affording an opportunity of being heard to the petitioner, if so desired by the petitioner, within a period of eight weeks from the date of receipt of the representation.

The petition stands disposed of in above terms, so also pending miscellaneous application(s), if any.