
(2012) 03 AHC CK 0102
In the Allahabad High Court
Case No : Service Single No. 1253 of 2012

Renu Dhawan and Others

APPELLANT

Vs

State of U.P. and Others

RESPONDENT

Date of Decision : 02-03-2012

Acts Referred:

Citation : (2012) 03 AHC CK 0102

Hon'ble Judges : Devendra Kumar Arora, J

Bench : Single Bench

Judgement

Hon'ble Devendra Kumar Arora, J.—Notice on behalf of opposite party no. 1 has been accepted by learned Chief Standing Counsel. Sri D.R. Misra, Advocate has accepted notices on behalf of opposite parties no. 2 to 4.

2. In view of the order propped, the issuance of notices to the opposite parties no. 5 & 6 is dispensed with.

3. By means of present writ petition, the petitioners have prayed for a writ in the nature of mandamus commanding the opposite parties no. 1 & 2 to take a decision on the petitioners' claim for their appointments and pass appropriate order within a stipulated period fixed by this Court.

4. Submission of Learned Counsel for petitioners is that the petitioners no. 1 & 2 applied for the post of Head Mistress whereas petitioner no. 3 applied for the post of Assistant Teacher in Dayawati Modi Kanya Junior High School, Devendrapuri (Modi Nagar), Ghaziabad and after completing the process of selection the entire papers with respect to selection of petitioners were sent to the District Basic Education Officer for financial approval who accorded approval vide order dated 11.8.2003. After approval, petitioners were issued appointment letters and they joined on their respective posts. However, it appears that on some complaint, their salary was stopped.

5. Further submission is that the petitioners, for redressal of their grievance,

made representations on 09.3.2009, 01.4.2010 and lastly on 24.10.2011 (Annexure No. 11) to the District Basic Education Officer, Ghaziabad but nothing has been done so far.

6. The precise prayer of Learned Counsel for petitioners is that in the interest of justice, necessary directions be issued to District Basic Education Officer, Ghaziabaad (Opposite Party No. 3) to consider and decide petitioners' representation in pursuance to the decision dated 26.5.2011, passed in Special Appeal No. 80 of 2011 as well as judgment & order dated 23.8.2011, passed by Hon''ble Apex Court in SLP No. 132 of 2011 and decide the same by passing speaking and reasoned order within a stipulated period fixed by this Court.

7. Learned Standing Counsel has no objection to this innocuous prayer of Learned Counsel for petitioners.

8. Taking into consideration the innocuous prayer of Learned Counsel for petitioners, without entering into merits of the case, this writ petition is disposed of finally with the direction to the District Basic Education Officer, Ghaziabaad (Opposite Party No. 3) to consider and decide petitioners' representation in pursuance to the decision dated 26.5.2011, passed in Special Appeal No. 80 of 2011 as well as the judgment & order dated 23.8.2011, passed by Hon''ble Apex Court in SLP No. 132 of 2011, within a period of two months from the date of receipt of certified copy of this order and the order so passed, be also communicated to the petitioners.

9. Petitioners are given liberty to make afresh representation to the District Basic Education Officer, Ghaziabaad (Opposite Party No. 3) within a week from today alongwith certified copy of this order as well as all other relevant documents.