

(1995) 07 AHC CK 0115
In the Allahabad High Court
Case No : C.M.W.P. No. 5563 of 1994

Santosh Kumar Singh

APPELLANT

Vs

District Inspector of Schools and Others

RESPONDENT

Date of Decision : 18-07-1995

Acts Referred:

Citation : (1996) 2 UPLBEC 1166

Hon'ble Judges : M. Katju, J

Bench : Single Bench

Advocate : S.M.A. Kazmi and K.M. Suman Sirohl, for the Appellant;

Final Decision : Allowed

Judgement

M. Katju, J.—The Petitioner was appointed as C.T. Grade teacher on 1.12.84 in Gandhi Smarak Dev Nagri Inter College Parikshitgarh district Meerut and he was confirmed on that post on 1.9.1986. On 3.6.1989 the Government issued a Government order directing that those C.T. grade teachers had completed five years shall be promoted on L.T. grade.

2. In the counter - affidavit filed on behalf of the District Inspector of Schools, it is stated in para 6 that only those C.T. grade teachers who have completed five years will be promoted as L.T. grade teacher who are found to be suitable. In my opinion, this is a wrong interpretation of the Government order dated 3.6.1989. The C.T. grade is now a dying cadre and those who have completed five years in C.T. grade automatically become L.T. grade teachers, and there is no question of considering their suitability. Since the Petitioner was appointed as C.T. grade teacher on 1.12.1984, he completed five years on the post on 1.12.1989, he is entitled to be promoted on L.T. grade respectively from 1.12.1989.

3. A mandamus is issued to the Respondents to promote the Petitioner in L.T. grade within one month of production of certified copy of this order before the authority. The Petitioner shall get arrears of L.T. grade from 1.12.89 till today within three months.

The writ petition is allowed. No order as to costs.