
(2010) 12 UK CK 0124

In the Uttarakhand High Court

Case No : Writ Petition No. 460 of 2008 (S/S)

Satyavaan Singh

APPELLANT

Vs

Director of Education, School Education and Another

RESPONDENT

Date of Decision : 10-12-2010

Acts Referred:

Citation : (2010) 12 UK CK 0124

Hon'ble Judges : Brahma Singh Verma, J

Bench : Single Bench

Judgement

B.S. Verma, J.—Heard Mr. Sharad Sharma, Senior Advocate along with Mr. B.C. Bhatt, Advocate for the Petitioner and Mr. P.C. Bisht, learned Brief Holder on behalf of the Respondents.

2. By means of this petition the Petitioner has sought a writ, order or direction in the nature of mandamus commanding the Respondents to consider the Petitioner's candidature for appointment under the compassionate grounds under the Rules of 1974 in particularly as contained under proviso to Rule-5 of the Rules.

3. According to the Petitioner his late father Jagpal Singh was working as Assistant Teacher (L.T. Grade) in Government Madhyamik Shool Keshradhar Naicholi District Tehri Garhwal and died on 17.3.1995 on account of his murder because of family feud. The deceased has left behind him his four daughters, two sons, aged mother and wife. Thereafter the mother also died. Two daughters have now been married and the widow, two daughters and two sons of the deceased are dependents of the deceased. The family members of the deceased are not engaged in any Government or Private Institution and they have no source of livelihood except Rs. 2800/- per month family pension. The Petitioner is the son of the deceased and at the time of death of his father he was minor and immediately after becoming major he submitted application before the District Education Officer, Tehri (Annexure No. 1 to the writ petition). The application of the Petitioner was duly recommended by the Principal after taking into

consideration the apathy which was being faced by the family of the Petitioner. The Respondent No. 2 returned the application of the Petitioner. Again on 24.8.2007 the Petitioner submitted a representation before the Director of Education, Respondent No. 1 to consider the Petitioner's application for appointment under Rules of 1974, which is filed Annexure No. 2 to the writ petition, but no action has yet been taken on the application/representation of the Petitioner. Hence the petition.

4. During the course of argument learned Counsel appearing on behalf of the Petitioner has submitted that the Respondents be directed to dispose of the representation (Annexure No. 2) of the Petitioner by a speaking and reasoned order expeditiously and the writ petition may be disposed of finally. Prayer made is innocuous.

5. The Respondent No. 1, Director of Education, District Dehradun, is directed to dispose of the representation of the Petitioner, Annexure No. 2, which is pending before him, by a speaking and reasoned order, within a period of eight weeks, from the date of production of certified copy of this order.

6. With the aforesaid direction, the writ petition is disposed of finally.