

(2017) 09 UK CK 0008
In the Uttarakhand High Court
Case No : 2581 of 2017

Smt. Pushpa Negi

APPELLANT

Vs

State of Uttarakhand & others

RESPONDENT

Date of Decision : 07-09-2017

Acts Referred:

Citation : (2017) 09 UK CK 0008

Hon'ble Judges : Manoj K. Tiwari

Bench : Single Bench

Advocate : M.K. Chand, ?Rajesh Joshi, ?N.S. Pundir

Final Decision : Disposed

Judgement

1. Heard Mr. M.K. Chand, learned counsel for the petitioner, Mr. Rajesh Joshi, Brief Holder for the State of Uttarakhand, Mr. N.S. Pundir, learned counsel for respondent No. 5 and perused the record.

2. Petitioner is a Primary School Teacher, who has been selected as L.T. Grade Teacher, under 10% quota reserved for Departmental candidates. Appointment letter has been issued to the petitioner on 24.08.2017, which indicates that petitioner has been allotted Garhwal Region. Since petitioner belongs to District Nainital, therefore, she had opted for Kumaon Region. It is her contention that cadre of L.T. Grade Teacher is of Regional level, therefore, once allotted to Garhwal Region then she will have to serve in the same region during entire service career.

3. It is the contention of learned counsel for the petitioner that there are large number of vacancies available for the post of Assistant Teacher - L.T. Grade (Hindi) in Kumaon Region, therefore, act of the respondents, allotting her Garhwal Region instead of Kumaon Region, is unjust and illegal. Petitioner has brought on record information, which she has received under RTI Act in the month of April, 2017, which indicates that Udham Singh Nagar alone has 22 vacancies available for Assistant Teacher - L.T. Grade (Hindi) and similarly in

Nainital 4 vacancies are available for Assistant Teacher - L.T. Grade (Hindi).

4. Learned counsel for the petitioner further points out that as per stipulation made in the offer letter, she is required to submit her joining on or before 08.09.2017 and the petitioner has not submitted her joining as yet.

5. In the peculiar facts and circumstances of the case, I am of the opinion that interest of justice would be served, if petitioner is permitted to make a representation to the Competent Authority, which shall examine petitioner's claim and pass appropriate order.

6. Accordingly, the writ petition is disposed of with liberty to petitioner to make an appropriate representation before respondent No. 2 within ten days from today. If such a representation is made, respondent No. 2 shall decide the same by passing a reasoned and speaking order, within a period of four weeks thereafter.