
(2017) 06 UK CK 0058
In the Uttarakhand High Court
Case No : 1109 of 2010

Sri Madho Singh

APPELLANT

Vs

State of Uttarakhand & others

RESPONDENT

Date of Decision : 30-06-2017

Acts Referred:

Citation : (2017) 06 UK CK 0058

Hon'ble Judges : Manoj K. Tiwari

Bench : Single Bench

Advocate : C.D. Bahughna, ?A.K. Verma,?B.P.S. Mer

Judgement

1. Heard Mr. C.D. Bahuguna, learned Senior Advocate appearing for the petitioner, Mr. B.P.S. Mer, Brief Holder for the State and perused the records.
2. According to Mr. Bahuguna, learned Senior Advocate, petitioner was appointed as Peon by the District Census Officer, Pithoragarh in the year 2000 and he served in the census organization to the best of his abilities upto 31.05.2001. Upon completion of census operation, petitioner was disengaged and subsequently, he was declared to be a retrenched employee. It is the case of the petitioner that he was subsequently reengaged by the District Census Officer in the year 2008 and he served for certain period.
3. Grievance of the petitioner before this Court is that despite Government orders issued from time to time for absorption of such retrenched employees, his claim is not being considered while other similarly situate persons have been given benefit of absorption. Learned counsel for the petitioner has relied upon Government Orders dated 16.05.2001 and 26.06.2001.
4. Mr. B.P.S. Mer, Brief Holder for the State in reply submits that petitioner's engagement was purely temporary for a limited period and upon expiry of the period specified in the appointment order, his services automatically came to an end.

5. Having regard to the fact that petitioner has rendered services during census operation and also in view of the Government Orders (referred to above) issued from time to time, in the opinion of this Court, interest of justice would be served if the competent authority is directed to take a decision on petitioner's claim in the light of Government orders.

6. In view thereof, the writ petition is disposed of with liberty to the petitioner to make fresh representation to the District Magistrate, Pithoragarh within two weeks from today. If such a representation is made, District Magistrate, Pithoragarh shall decide the same by passing a reasoned and speaking order within a period of eight weeks from the date of production of certified of this order.