

(2010) 12 UK CK 0188
In the Uttarakhand High Court
Case No : Writ Petition No. 1640 of 2010

Surendra Singh Rawat and Shiv Singh	APPELLANT
Vs	
State of Uttarakhand and Others	RESPONDENT

Date of Decision : 15-12-2010

Acts Referred:

Citation : (2010) 12 UK CK 0188

Hon'ble Judges : Brahma Singh Verma, J

Bench : Single Bench

Judgement

B.S. Verma, J.—Heard Mr. C.K. Sharma, Advocate for the Petitioners, Mr. N.P. Shah, Standing Counsel for the Respondents and Mr. A.V. Pundir, Advocate appearing on behalf of the intervener.

2. Learned Counsel for the parties have submitted that the instant writ petition may be disposed of finally at the admission stage since there is no factual dispute.

3. By means of this petition the Petitioners have sought a writ, order or direction in the nature of certiorari quashing the impugned order dated 21-7-2010 passed by Respondent No. 2, contained in Annexure No. 1 to the writ petition, whereby the Additional Director of Education, Uttarakhand School of Education, directed that till the inquiry is completed, if the election of Committee of Management is held, in that situation the approval be stayed till further orders.

4. According to the Petitioners the election was conducted on 20-7-2010 and the Election Officer sent report about the elected members of Committee of Management for its approval to the District Education Officer, vide Annexure No. 11. The complaint was made by intervener Smt. Vimla Devi.

5. Mr. A.V. Pundir, learned Counsel appearing on behalf of intervener has no objection if the decision is taken by District Education Officer on the report of Election Officer for approval in accordance with law after hearing the objection of

intervener Smt. Vimla Devi.

6. In view of above fact, the District Education Officer/Respondent No. 3, is directed to take a decision on Annexure-11, report of the Election Officer dated 21-7-2010, for approval of Committee of Management in accordance with, after hearing the complainant-intervener Smt. Vimla Devi, within a period of eight weeks, from the date of production of certified copy of this order, without being influenced by the order impugned dated 21-7-2010 (Annexure No. 1 to the writ petition).

7. With the aforesaid direction the writ petition is disposed of finally.

8. All the pending applications also stand decided.