
(2022) 11 UK CK 0038

Uttarakhand High Court

Case No: Writ Petition (SB) No. 497 Of 2022

Satendra Singh

APPELLANT

Vs

State Of Uttarakhand
And Others

RESPONDENT

Date of Decision: Nov. 15, 2022

Citation: (2022) 11 UK CK 0038

Hon'ble Judges: Vipin Sanghi, CJ; Manoj Kumar Tiwari, J

Bench: Division Bench

Advocate: Navnish Negi, Vikas Pandey, Pooja Banga

Final Decision: Dismissed

Judgement

Vipin Sanghi, CJ

1. The petitioner has preferred the present writ petition to assail the order dated 05.01.2022 issued by the Additional Secretary, Uttarakhand and the

order dated 07.01.2022 issued by the Director, Education.

2. These orders, in effect, state that if the post of Principal in a School is vacant, and the senior-most teacher in the School cannot be promoted as a

Downgraded Principal to the post of Principal due to reasons such as pendency of vigilance cases, then the next senior-most teacher may be

promoted to the post of Downgraded Principal.

3. The case of the petitioner is that in such a situation, the post has, necessarily, to be filled by direct recruitment under the Regulations, and cannot be

filled by the second senior-most teacher on promotion as a Downgraded Principal.

4. The petitioner is an elected Manager of a grant-in-aid Institution, namely, Public Inter College, Takolikhal. The petitioner is not one such teacher,

who is being by-passed despite being the senior-most teacher and is not being appointed as a Downgraded Principal on the occurrence of vacancy on

the basis of the impugned orders.

5. In our view, the petitioner has no locus standi to prefer this petition. The issue raised by the petitioner is, therefore, left open to be considered at the

instance of an affected party

6. The writ petition is, accordingly, dismissed.