

Sanatan Dharma Prakash Chandra Kanya Inter College And Another Vs State Of Uttarakhand & Others

Court: Uttarakhand High Court

Date of Decision: Nov. 12, 2024

Hon'ble Judges: Pankaj Purohit, J

Bench: Single Bench

Advocate: Nagesh Agarwal, Kailash Chandra, Anil Dabral, Devendra Pant

Final Decision: Disposed Of

Judgement

Pankaj Purohit, J

1. Heard learned counsel for the parties.

2. Petitioner is a Government Aided Intermediate School run by the Committee of Management of S.S.D.P.C. Kanya Inter College Society, whereas,

petitioner no. 2 is an elected manager of the said Committee. Pursuant to the proposal sent by the petitioner institution for filling up 19 posts at

different levels, only 10 candidates could be selected by respondent no. 4 and remaining 9 posts were kept in abeyance. The petitioner

committee is moving applications since then one after another, but, all went in vein. The petitioner even approached this Court by filing WPMS No.

906 of 2024, which was decided by the coordinate bench of this Court by judgment dated 15.04.2024 directing the respondents therein to take decision

on petitioner's representation dated 18.03.2024 within three months. This too also could not bring any fruitful result. Hence, this writ petition to re-

advertise the posts on the ground that since 90 days have been expired, therefore, as per the provisions of 10() of the Regulations 2009 framed

under Uttarakhand School Education Act, 2006, the post is to be re-advertised.

3. It is submitted by learned counsel for the petitioners that the said representation of the petitioners is pending consideration and no order has been

passed on the said representation as yet by the Competent Authority. He further submits that if a direction is issued to respondent no.4 to take a

decision on the petitioner's representation dated 12.08.2024, the ends of justice would be met.

4. To this proposition, there is no objection from the side of learned State Counsel.

5. Accordingly, the writ petition is disposed of. Respondent no.4-Chief Education Officer, Haridwar is hereby directed to take speaking and reasoned

decision on the petitioner's representation dated 12.08.2024, annexure-8 to the writ petition, in the light of provisions of 10() of Regulations,

2009, within a period of one month from the date of production of certified copy of this order.

6. Pending application, if any, stands disposed of.