

(2018) 07 UK CK 0019

Uttarakhand High Court

Case No: Writ Petition (M/S) No. 1005 of 2018

Chaudhary Sukhveer
Singh Adarsh Junior
High School and
another

APPELLANT

Vs

State of Uttarakhand
and others

RESPONDENT

Date of Decision: July 5, 2018

Acts Referred:

Uttarakhand School Education Act, 2006

Citation: (2018) 07 UK CK 0019

Hon'ble Judges: SUDHANSHU DHULIA, J

Bench: Single Bench

Advocate: Kishore Kumar, Yogesh Pandey

Final Decision: Allowed

Judgement

SUDHANSHU DHULIA, J. (ORAL)

1. This petition has been filed by the Management Committee of a private school, which runs an intermediate school, which is under grant-in-aid of the

State. To fill the post of clerk, the management committee started selection process, however, the selection process was stopped by the respondents

vide order dated 16.02.2018. Aggrieved, the petitioners have filed the present writ petition.

2. In the counter affidavit, the State Government has said that the petitioner was asked to stop the selection process in terms of Government Order

dated 29.03.2017, whereby amendments have been brought under the Rules of 2009 framed under the Uttarakhand School Education Act, 2006.

3. The Rules of 2009 admittedly are the Rules which govern the service conditions of teachers. They have got nothing to do with the ministerial staff.

4. In view of the above, writ petition is allowed. Order dated 16.02.2018 is hereby quashed. The respondents are directed to complete the selection

process for the post of clerk in accordance with law.