

**IN THE HIGH COURT OF UTTARANCHAL,
NAINITAL**

**Civil Writ Petition No. 2115 (S/S) of 2001
(Old No. 46974/2000)**

Jagnnath Singh Arora S/o Sri Atma Ram Arora
R/o Atma Niwas, Lower Kalabad, Kotdwara
District – Pauri Garhwal at Present Lecturer
Geography, Government Inter College,
Sendhri Khal
District – Pauri Garhwal Petitioner/ Applicant

Versus

1. District Inspector of Schools, Pauri Garhwal.
2. Joint Director of Education, Pauri Garhwal.
3. Narnedra Singh Tomar, Lecturer, Government
Inter College, Sendhri Khal, District- Pauri Garhwal.
.... Respondents

28.04.2006

Sri Raman Kumar Shah, learned counsel for the petitioner,
learned standing counsel for the respondents.

Hon'ble M.M. Ghildiyal-J

Heard Sri Raman Kumar Shah, learned counsel for the petitioner and learned standing counsel for the respondent No. 1 & 2.

By means of the present writ petition, petitioner has prayed for the following reliefs :

- i. Issue a writ, order or direction in the nature of Certiorari quashing the transfer order dated 04.10.2000, passed by the respondent No.1 (Annexure no.1 to the writ petition).
- ii. Issue a writ, order or direction in the nature of certiorari quashing the charge sheets dated 11.09.1998 and 04.08.2000 issued by the respondents because the copy of Enquiry Report was

not given to the petitioner to present his case (Annexure no. XI to XIII).

- iii. Issue a writ order or direction in the nature of Mandamus directing the respondents not to transfer the petitioner from Government Inter College, Sendhikari to the Government Inter College, Khairasain.
- iv. Issue any other writ, order or direction which this Hon'ble Court may deem fit and proper under the facts and circumstances of the case.
- v. Award cost of the petition to the petitioner.

So far as the first relief is concerned for quashing of the order dated 04.10.2000, the petitioner has already been transferred, as such, the first relief has become infructuous and so far as the second relief is concerned for quashing of the charge sheet dated 11.09.1998 and 04.08.2000 issued by the respondents, learned counsel for the petitioner has submitted that respondents have neither given a copy of the enquiry report nor the Disciplinary Authority has passed any final order in this regard.

In these circumstances, since the matter is pending for more than six years. I think, it just and proper to direct the respondent no.1/disciplinary authority that after completing the enquiry, Respondent no.1/Disciplinary authority shall pass an appropriate order on the disciplinary proceedings within a period of three months from the date of production of certified copy of this order.

With these directions, the writ petition is disposed of.