

**IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL**

Writ Petition No. 987 (S/S) of 2007

Kumud Ranjan Pant S/o Sri Harish Chandra Pant
R/o Village Pali, Post Office-Pokhari, Gangolihat,
District Pithoragarh -----Petitioner

Versus

1. State of Uttarakhand through its Secretary Education, Civil Secretariat, Dehradun
 2. Director, School Education Uttarakhand, Dehradun
 3. District Education Officer, Pithoragarh
 4. Additional District Education Officer (Basic), Pithoragarh
 5. Block Education Officer, Gangolihat
- Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Shri Anil Kumar Joshi, learned counsel for the petitioner and Sri Paresh Tripathi, learned Brief Holder for State of Uttarakhand for the respondents.

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

1. Issued a writ of certiorari quashing the impugned order dated 08.06.2007 passed by respondent no. 5 contained as annexure no. 1 to this writ petition only in respect of the petitioner.
2. Issue a writ, order or direction in the nature of mandamus commanding the respondents not to interfere in the posting of the petitioner at Primary School Pokhari.
3. Any other writ, order or direction, which this Hon'ble Court may deem fit and proper in the circumstances of the case may also be passed.
4. Allow the petition with cost.

By the impugned order dated 08.06.2007, the attachment of the petitioner, who was working as Assistant Teacher in Primary School, Pokhari, Gangolihat, has been cancelled.

So far the cancellation of attachment is concerned, learned Standing Counsel has submitted that the Government has framed a Policy to cancel all the attachment of all the employees.

Learned counsel for the petitioner has submitted that petitioner was not attached at Primary School, Pokhari, but he was adjusted/posted there against the vacant post, therefore, the cancellation of posting/adjustment of the petitioner on the ground that the same is an attachment, is illegal.

During the course of argument, learned counsel for the petitioner has submitted that raising all his grievances, the petitioner has already moved a representation before respondent no. 3 on 11.07.2007, which is Annexure 3 to the writ petition. Learned counsel for the petitioner has submitted that respondent no. 3 may be directed to take decision on the representation of the petitioner at the earliest.

In the circumstances, I deem it fit and proper to direct the respondent no. 3 to take decision on the representation of the petitioner dated 11.07.2007 within a period of two weeks from the dated of production of a certified copy of this order before him.

With this direction, the writ petition is finally disposed of. All the pending applications stand disposed of.

(M.M. Ghildiyal, J.)

31.07.2007
VKS