

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition No. 1431 of 2007 (S/S)

Smt.Chandra Rawat
W/o Sri Lakhpat Singh Ratwat
R/o Village-Simli, P.O. Aserh, Simli,
District Chamoli.

..... Petitioner

Versus

1. State of Uttarakhand
Through Secretary Education,
Govt. Of Uttarakhand, Dehradun.
2. District Education Officer,
District Chamoli.
3. Additional District Education Officer (Basic)
District Chamoli.
4. Block Education Officer, Tharali
District Chamoli.
5. Village Shiksha Samiti
Village-Simli, Post Office- Aserh
Block Tharali, District Chamoli.

..... Respondents

Ms. Pankaj Purohit, Advocate for the petitioner.
Mr. H.M. Raturi, Standing Counsel for the respondents.

Hon. Prafulla C. Pant, J.

Heard learned counsel for the petitioner and learned
Standing Counsel for the respondents.

2) By means of this writ petition, the petitioner has
sought writ in the nature of certiorari and quashing of the
order dated 20th August 2007, passed by the District
Education Officer, Chamoli, whereby the petitioner's
representation has been rejected.

3) Brief facts of the case are that the petitioner was a candidate for the post of 'Shiksha Mitra' in Primary School Dewar, Block Tharali, district Chamoli. Admittedly, there were four candidates for said post. One Smt. Manju Purohit was at the top in the merit. The second position holder was one Smt. Sumitra Rawat. The third position holder was One Smt. Munni Gosain, and the fourth position holder was the petitioner. This recruitment process relates to the Academic Year 2006-07. (The academic session is already over). It is pertinent to mention here that appointment of 'Shiksha Mitra' are made for one academic year. Admittedly, as is clear from the impugned order, Smt. Manju Purohit was selected in some other School and did not join the aforesaid School. With regard to Smt. Sumitra Rawat, it is stated that she filed Writ Petition No. 231 (S/S) of 2006 and also Writ Petition No. 684 (S/S) of 2006, but since, she held certificate of 'Shiksha Visharad', which was not a recognized decree, as such, she was not given appointment. Third candidate Smt. Munni Gosain appears to have got selected somewhere else. It appears that present petitioner Smt. Chandra Rawat also filed, thereafter, Writ Petition No. 1443 (S/S) of 2006, which was disposed of by this Court vide order dated 07.08.2007, directing the respondent District Education Officer, Chamoli, to consider the representation made by the petitioner. In pursuance to the order dated 07.08.2007, passed in Writ Petition No. 1443 (S/S) of 2006, the petitioner made a representation dated 13.08.2007, which was disposed of by the District Education Officer, Chamoli, vide its order dated 20.08.2007. The representation of the

petitioner has been rejected, as is clear from the impugned order, for the reason that at present, now, no selection process is on to appoint the 'Shiksha Mitra'. This Court does not find any illegality in the impugned order passed by respondent No.2.

4) In the above circumstances, the writ petition has no force. The writ petition is dismissed in limine. (Stay application also stands dismissed, accordingly).

(Prafulla C. Pant, J.)

Dt. September 28, 2007.

H.Negi