

WPSS No.27 of 2008

Hon'ble Tarun Agarwala, J.

Heard Mr. M. S. Chauhan, learned counsel for the petitioners and Mr. H. M. Raturi, learned Brief Holder for the State.

The petitioners have filed the present writ petition praying that a writ of mandamus be issued to the respondents commanding them to appoint the petitioners on the post of Shiksha Mitra / Assistant Teacher in District Chamoli since the petitioners have rendered more than 10 years of service. The petitioners contend that they have been appointed as Instructor between the year 1985 to 1997 and have rendered more than 10 years of service on the said post and could be appointed as Shiksha Mitra, but, the respondents issued an advertisement dated 19th September, 2005 inviting applications for the post of Siksha Mitra, pursuant to which appointments were made. The petitioners made a representation, which was rejected by an order of 31st December, 2005. The writ petition was, however, filed in January 2008 after a lapse of more than two years.

Having heard the learned counsel for the parties at some length, the court is of the opinion that the post of Siksha Mitra is to be filled up through advertisement after a selection procedure. The petitioner having worked on the post of Instructor does not give him any indefeasible right for being appointed directly to the post of Siksha Mitra or to the post of Assistant Teacher. No such rules, regulations, Government orders has been placed before this court by which such Instructors could directly be posted on the post of Siksha Mitra or Assistant Teacher.

In the light of the aforesaid, no relief can be granted to the petitioner. The writ petition fails and is dismissed.

(Tarun Agarwala, J.)

Dated 30.07.2012

LSR