

WP(C) 5705/2009
BEFORE
HON'BLE MR. JUSTICE HRISHIKESH ROY

Heard Mr. D.K. Sarmah, learned counsel for the petitioner. The respondents are represented by Mr. A. Deka, Standing Counsel, Education.

The petitioner was in the category of dropped teacher and challenges the order dated 11.09.2008 (annexure-J), whereby she was not recommended for regularization. However, since then the service of the petitioner was regularized through the order dated 05.01.2013 and accordingly the relief sought in the case was granted to the petitioner.

But in the context of the personal difficulty of the petitioner relating to her youngest son who is a psychiatric patient, her advocate Mr. D.K. Sarmah prays for a direction for posting the petitioner in the Lombodar Baruah L.P. School where a retirement vacancy is available. This information is made available in the affidavit-in-reply filed by the petitioner on 06.02.2013.

In response, Mr. A. Deka submits that while main grievance of the petitioner is already addressed, considering the special difficulties suffered by her on being posted at the distant Balidur L.P. School in Nagaon District, she may wish to give representation for her posting at the Lombodar Baruah L.P. School. If such a representation is filed, Mr. Deka assures that the Director, Elementary Education will consider the same sympathetically.

In view of above, and noticing that the petitioner's service is already regularized, the writ petition is closed. However, the petitioner is at liberty to pray for posting at the Lombodar Baruah L.P. School. If transfer is feasible, the Director may issue necessary order by taking into account the difficulties faced by the petitioner, on account of her suffering son.

The cases are ordered accordingly.