IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No. 3327 of 2015 alongwith other connected matters.

Date of Decision : April 29, 2016

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1. CWP No. 3327/2015

Raju ....Petitioner.

versus

State of H.P. and others ...Respondents.

2. CWP No. 3344/2015

Joginder Pal ....Petitioner.

versus

State of H.P. and others ...Respondents.

3. CWP No.3345/2015

Kewal Krishan ....Petitioner.

versus

State of H.P. and others ...Respondents.

4. CWP No.3346/2015

Sapna ....Petitioner.

versus

State of H.P. and others ...Respondents.

5. CWP No.3347/2015

Smt. Pushpa Thakur ....Petitioner.

versus

State of H.P. and others ...Respondents.

6. CWP No.3348/2015

Leela Dhar ....Petitioner.

versus

State of H.P. and others ...Respondents.

7. CWP No.3349/2015

Kavita Sharma ....Petitioner.

versus

State of H.P. and others ...Respondents.

8. CWP No.3350/2015

Het Ram ....Petitioner.

versus

State of H.P. and others ...Respondents.

9. CWP No.3351/2015

Bharat Bhushan ....Petitioner.

versus

State of H.P. and others ...Respondents.

10. CWP No.3437/2015

Ramesh Kumar ....Petitioner.

versus

State of H.P. and others ...Respondents.

11. CWP No.3438/2015

Khem Singh ....Petitioner.

versus

State of H.P. and others ...Respondents.

12. CWP No.3440/2015

Som Dutt ....Petitioner.

versus

State of H.P. and others ...Respondents.

13. CWP No.3441/2015

Pawni Devi ....Petitioner.

versus

State of H.P. and others ...Respondents.

14. CWP No.3442/2015

Sanjeev Kumar ....Petitioner.

versus

State of H.P. and others ...Respondents.

15. CWP No.3443/2015

Duni Singh ....Petitioner.

versus

State of H.P. and others ...Respondents.

16. CWP No.3444/2015

Nek Singh ....Petitioner.

versus

State of H.P. and others ...Respondents.

17. CWP No.3445/2015

Tara Chand ....Petitioner.

versus

State of H.P. and others ...Respondents.

18. CWP No.3446/2015

Smt. Sushma Rani ....Petitioner.

versus

State of H.P. and others ...Respondents.

19. CWP No.3461/2015

Priyanka Gupta ....Petitioner.

versus

State of H.P. and others ...Respondents.

20. CWP No.3462/2015

Sundra ....Petitioner.

versus

State of H.P. and others ...Respondents.

21. CWP No.3464/2015

Usha Sharma ....Petitioner.

versus

State of H.P. and others ...Respondents.

22. CWP No.3507/2015

Jatender Kaushal ....Petitioner.

versus

State of H.P. and others ...Respondents.

23. CWP No.3508/2015

Khem Raj ....Petitioner.

versus

State of H.P. and others ...Respondents.

24. CWP No.3642/2015

Hem Raj ....Petitioner.

versus

State of H.P. and others ...Respondents.

25. CWP No.3646/2015

Chetan Singh ....Petitioner.

versus

State of H.P. and others ...Respondents.

26. CWP No.3649/2015

Anjana Sood ....Petitioner.

versus

State of H.P. and others ...Respondents.

27. CWP No.3650/2015

Meenakshi Sharma ....Petitioner.

versus

State of H.P. and others ...Respondents.

28. CWP No.3656/2015

Kamini Devi ....Petitioner.

versus

State of H.P. and others ...Respondents.

29. CWP No.3657/2015

Sapna Bhardwaj ....Petitioner.

versus

State of H.P. and others ...Respondents.

30. CWP No.3859/2015

Sarita Sharma ....Petitioner.

versus

State of H.P. and others ...Respondents.

Coram:

The Hon'ble Mr. Justice Sanjay Karol, Judge.

For the Petitioners : Ms Suchitra Sen, Advocate, in all the petitions.

For the Respondents : Mr. R.S. Verma, Additional Advocate General and Mr. Puneet Rajta, Deputy Advocate General.

Sanjay Karol, Judge

Learned counsel for the petitioners states that the rejoinder already filed in CWP No.3327/2015 be also read in the other connected matters.

2. In these petitions, petitioners, who stand appointed as NRBC/EGS Instructors, on completion of four years of service, are seeking consideration of their post/appointment as Gramin Vidya Upasak. Learned counsel for the petitioners states that the petitioners, who have been serving for the last five years, have been unfairly discriminated, inasmuch as services of some of similarly situated persons already stand regularized, pursuant to the directions issued by this Court but however petitioners have been left out. Evidently, State has no grievance against the petitioners. Their performance is very good. They have been helping the State to achieve the object for which their services were engaged. The whole object and purpose being to bring children of special category into the National Education Mainstream.

3. Now, petitioners undisputedly have rendered their services to the satisfaction of the respondents-State for more than 4-5 years. Their selection and appointment is in terms of the Policy/Guidelines framed by the State, under various statutes. It is seen that only 37 such persons have been left out and the remaining have been accorded benefit as Gramin Vidya Upasak.

4. Mr. R.S. Verma, learned Additional Advocate General, states if the petitioners were to approach the respondents/authorities, their cases would be considered sympathetically.

5. As such, these petitions are disposed of reserving liberty to the petitioners to approach the respondents-authorities within a period of four weeks. Upon receipt thereof, the petitioners' cases shall be considered and decided within a period of three months thereafter. Needless to add, opportunity of hearing shall be afforded to the petitioners and cases of the petitioners shall be considered sympathetically. Since petitioners' engagement as NRBC/EGS Instructors and their discharge of duties, to the satisfaction of the authorities, is not in dispute, it is expected of the State to continue their engagement. Their engagement is only helping the State achieve a noble object of bringing the children into the National Education Main Stream.

Pending application(s), if any, also stand disposed of.

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(Sanjay Karol),
Judge.

April 29, 2016(KS)