

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition (M/S) No. 3377 of 2017

Committee of Management Public Inter College
Sathsiling District PithoragarhPetitioner

Versus

Secretary, Department of Education and others
....Respondents

Present: Mr. Navnish Negi, Advocate for the petitioner.
Mr. Anurag Bisaria, Standing Counsel for the
State/respondents.

Hon'ble Sudhanshu Dhulia, J. (Oral)

The petitioner before this Court is a Committee of Management of a college, namely, Public Inter College Sathsiling, District Pithoragarh, which is under grant-in-aid. The petitioner had initiated a process for selection and appointment on the posts of Lecturers and Assistant Teachers and subsequently pursuant to the selection process, 7 candidates were short-listed for interview. Meanwhile, the selection process was stalled vide order dated 29.03.2017 as the State Government had taken a stand that after the initiation of the process, a Model Code of Conduct came into effect on 04.01.2017 due to the coming elections to the State Legislative Assembly and thereafter, an amendment has also been brought in Regulations, 2009 framed under the provisions of Uttarakhand School Education Act, 2006 bringing certain other qualifications. Hence, the petitioner has filed the present writ petition.

2. Learned counsel for the petitioner submits that the facts of the present case are squarely covered by the judgment dated 09.10.2017 rendered by this Court in WPMS No. 1871 of 2017 (along with connected matters). He further submits that the controversy stands concluded

by the judgment dated 09.10.2017 passed by this Court in WPMS No. 1871 of 2017 and therefore the present writ petition be disposed in same terms.

3. Mr. Anurag Bisaria, learned Standing Counsel for the State admits this factual position and has no objection if the present writ petition is decided in terms of judgment dated 09.10.2017 passed in WPMS No. 1871 of 2017.

4. In view thereof, impugned order dated 29.07.2017 is quashed. Writ petition stands disposed in terms of the judgment dated 09.10.2017 rendered in WPMS No. 1871 of 2017 and connected matters.

Avneet/

(Sudhanshu Dhulia, J.)

28.02.2018