

Hon'ble V.K. Bist, J.

Mr. Vinay Kumar, Advocate for the petitioner.

Mr. M.C. Tiwari, Deputy Advocate General for the State of Uttarakhand/respondents.

Petitioner has approached this Court seeking following reliefs:

“(i) Issue a writ, order or direction in the nature of mandamus directing the respondents to amend/modify the posting order dated 20th July 2018 of the petitioner taking into consideration the services rendered by the petitioner in remote area School namely Govt. Inter College Naikana Painsia, Block Salt, District Almora and consider the posting of the petitioner at Govt. Higher Secondary School Pipalia No.1, Block Jaspur, District Udham Singh Nagar.

(ii) Issue a writ, order or direction in the nature of mandamus commanding and directing the respondents to consider and decide the representation dated 21st July 2018 of the petitioner submitted before the Director, Secondary Education, Uttarakhand.”

Petitioner was working as Lecturer (Mathematics). Vide order dated 20th July, 2018 petitioner has been promoted as Head Master in Government Higher Secondary School, Bansi, District Nainital.

Contention of learned counsel for the petitioner is that alongwith the petitioner more than 265 Lecturers have also been promoted and most of the lecturers have been adjusted in the same School where they were working as lecturers. It is contended that petitioner could also be adjusted in the same institution or could be posted at nearby place but he has been sent to remote area though he has worked in the remote area for more than 14 years. It is contended that he has already made representation before respondent no.2 and, therefore, direction may be issued to respondent no.2 to decide the representation of the petitioner.

Learned Government pleader submits that in case direction is issued, case of the petitioner shall be considered in accordance with law.

Considering the submission of learned counsel for the parties, I dispose of the writ petition by directing the competent authority to take decision in the representation of the petitioner within a period of one month from the date of production of certified copy of this order. In case representation of the petitioner is rejected, it will be open for the petitioner to challenge the order impugned again by way of filing fresh petition.

(V.K. Bist, J.)
28.09.2018

