

WPSS No. 706 of 2019

Hon'ble Manoj K. Tiwari, J.

Mrs. Neetu Singh, Advocate for the petitioner.

Mr. S.K. Mishra, Standing Counsel for the State of Uttarakhand.

Heard learned counsel for the parties.

According to the petitioner, she was appointed as Library Clerk in M.K.P. (P.G.) College, Dehradun in the year 1980. M.K.P. (P.G.) College, Dehradun is a Government aided Post Graduate College, in which salary of all teaching and non-teaching employees is being paid by the State Government. Petitioner was, thereafter, promoted to the post of Catalogger on 31.03.2018. According to the petitioner, she was given Officiating Charge of higher post of Librarian in October, 2009 and she held the post of Librarian till her retirement.

Grievance of the petitioner is that she has not been paid salary admissible for the post of Librarian on which she served continuously for more than 9 years. Another grievance of the petitioner is that her Provident Fund is not being released. Petitioner is also claiming re-fixation of her pension on the basis of salary admissible for the post of Librarian.

Learned counsel for the petitioner has relied upon judgment dated 19.02.2010 rendered by Division Bench of this Court in WPSB No. 271 of 2007 in support of her contention that petitioner was entitled for the salary of Librarian while discharging duties of the said post.

Having regard to the facts and circumstances of the case, this Court finds that interest of justice would be served, if petitioner is permitted to make a

representation to Director, Higher Education, Uttarakhand, who shall take appropriate decision thereupon, in accordance with law, within stipulated time frame.

Accordingly, writ petition is disposed of with liberty to the petitioner to make a representation within two weeks from today. If such a representation is made, Director, Higher Education, Uttarakhand shall examine the grievance of the petitioner and take appropriate decision, in accordance with law, within a period of twelve weeks from the date of receipt of such representation along with certified copy of this order.

Arpan

(Manoj K. Tiwari, J.)

29.03.2019