

WPSS No. 493 of 2020

Hon'ble Manoj K. Tiwari, J.

Mr. S.S. Yadav, Advocate for the petitioner.

Mr. Yogesh Pandey, Additional Chief Standing Counsel with Mr. Sushil Vashistha & Mr. Suyash Pant, Brief Holders for the State of Uttarakhand.

Heard learned counsel for the parties.

Learned counsel for the petitioner submits that permanent resident certificate produced by the petitioner at the time of his appointment is dated 12.10.2001, however, the authorities have made inquiry by treating the date of the said certificate as 12.01.2001.

Petitioner is aggrieved by the show cause notice dated 17.03.2020 issued by District Education Officer, Elementary, Haridwar, whereby petitioner has been asked to appear for personal hearing on 28.03.2020.

It is the contention of learned counsel for the petitioner that since the authorities have made inquiry in respect of a document which is dated 12.01.2001, therefore, the authorities have arrived at a conclusion that the certificate produced by the petitioner is fake.

Since petitioner has challenged a show cause notice in this writ petition, therefore, the writ petition is pre-mature. Petitioner can have his say before the District Education Officer, who has issued show cause notice to him.

Accordingly, the writ petition is disposed of with liberty to the petitioner to approach the District Education Officer by submitting reply to the show cause notice on or before 20.04.2020. It shall be open to the petitioner to raise all contentions in his reply. The District Education Officer shall consider the reply submitted by the petitioner and pass speaking order, in accordance with law.

Let a certified copy of this order be issued today itself.

(Manoj K. Tiwari, J.)