

Case :- WRIT - A No. - 2802 of 2001

Petitioner :- Ram Lalit Yadav And Others

Respondent :- State of U.P. and Others

Counsel for Petitioner :- B.S. Pandey

Counsel for Respondent :- C.S.C.,K.Sahai,Sudhakar Upadhyay

Hon'ble Salil Kumar Rai,J.

The present writ petition has been filed praying for a mandamus directing the State Education Authorities to pay arrears of salary and current salary from month to month to the petitioners for the post of Assistant Teacher.

The petitioners claim themselves to have been legally appointed as Assistant Teacher in the Institution named as Sardar Patel Babu Ram Verma Samajvadi Laghu Madhyamik Vidyalaya, Amrauli / Basti.

The case of the petitioners is that they were appointed on the post of Assistant Teachers in 1987-88 and continued to work as such after the institution was included in the grant-in-aid list of the State Government. The institution was included in the grant-in-aid list of the State Government by order dated 12.8.1988. The petitioners claim that different orders have been passed by the District Basic Education Officer recognizing and approving the services of the petitioners as Assistant Teachers in the institution. All such orders have been recalled by the District Basic Education Officer, Basti vide his order dated 17.9.2001. Consequently, an amendment application has been filed with a prayer to amend the petition including the prayer for certiorari quashing the order dated 17.9.2001.

A perusal of the records indicates that the case of the State respondents is that material report sent by the institution at the time the institution was included in the grant-in-aid list of 1995-96 did not include the name of the petitioners and, therefore, the District Basic Education Officer has held that the petitioners were never appointed as Assistant Teachers in the institution and in any case, they were not working as Assistant Teachers when the institution was included in the grant-in-aid list of the State Government. The documents annexed by the petitioners indicating that they had worked as Assistant Teachers have been found to be forged in an inquiry conducted by the Assistant Director of Education (Basic), Region 7, District Gorakhpur in which it was also found that the documents relating to creation of post claimed by the petitioners are also forged documents and were not issued by the Assistant Director of Education

(Basic), Region 7, District Gorakhpur.

In light of the aforesaid, the petitioners have no claim on the post and no mandamus or certiorari as prayed by the petitioners can be issued.

The writ petition is ***dismissed***.

Order Date :- 30.11.2022

Satyam