

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>WPSS 2554/ 2015 <u>Hon'ble Manoj Kumar Tiwari, J.</u></p> <p>None appears for the petitioner.</p> <p>Mr. Devesh Ghildiyal, Brief Holder, for the State.</p> <p>(2) According to petitioner, she was appointed as Physical Teacher in Swami Ram Tirth Vidya Mandir Junior High School, Bouradi, New Tehri vide letter dated 18.12.2009, passed by the Manager of the said institution. Since petitioner has not been paid any remuneration, therefore, she has approached this Court seeking the following reliefs:</p> <p><i>"i) Issue a writ order or direction in nature of mandamus directing the respondents to provide the remuneration to the petitioner according the Govt. Order dated 15.12.2011.</i></p> <p><i>II. Issue a writ order or direction in the nature of mandamus directing the respondents to pay the remuneration to petitioner w.e.f. 21.12.2009 to till date with 10% interest."</i></p> <p>(3) A counter affidavit has been filed by Mr. Dinesh Chandra Gaur, Chief Education Officer, Tehri Garhwal. In para 3 of the counter affidavit, it is stated that petitioner in her application to the Manager of the concerned school had requested for her appointment without any remuneration. Learned State</p>

		<p>Counsel refers to Annexure CA-1 to the said counter affidavit, which is an application made by petitioner to the Manager. In that application, petitioner volunteered herself to serve as Physical Teacher without any salary/ remuneration. Learned State Counsel further submits that petitioner was appointed by the Manager without there being any vacancy and approval of the competent authority was also not sought. Thus he submits that the relief as claimed by the petitioner cannot be granted as the State is under no liability to pay salary/ remuneration to a teacher, appointed without there being any vacancy and without approval of the competent authority.</p> <p>(4) This Court finds substance in the submissions made by learned State Counsel. Application made by the petitioner itself reveals that petitioner had herself volunteered to serve without any remuneration. It is further revealed that petitioner was permitted to serve without holding any selection and approval of the competent authority in the department was also not sought. In such view of the matter, liability to pay remuneration cannot be fastened to the State.</p> <p>(5) Thus there is no scope for interference. Consequently, writ petition fails and is dismissed.</p> <p>(Manoj Kumar Tiwari, J.)</p> <p>30.9.2024 Pr</p>
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