



2024:UHC:9713-DB

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			WPMB No. 560 of 2024 <u>Hon'ble Manoj Kumar Tiwari, ACJ</u> <u>Hon'ble Pankaj Purohit, J.</u> 1. Mr. Arvind Vashisth, learned Senior Counsel assisted by Ms. Devanshi Joshi, learned counsel for the petitioner. 2. Mr. P.C. Bisht, learned Additional C.S.C. for the State of Uttarakhand. 3. Mr. R.P. Singh, learned counsel for the respondent/caveator. 4. By means of this writ petition, petitioner has sought the following relief:- (i) Issue a writ order or direction in the nature of certiorari quashing the advertisement dated 02.11.2024 (Annexure No. 16) whereby the recruitment process initiated vide advertisement 08.12.2022 to be rescheduled/resumed. (ii) To issue a writ, order or direction in the nature of Mandamus directing the respondents to comply with the order issued by the Directorate Higher Education Department dated 11.09.2023. (iii) Issue a writ, order or direction in the nature of certiorari quashing its order dated 14.10.2024 passed by Director (signed by deputy). 5. According to petitioner, her late husband was the Founder Trustee of a Society, which is running an Institution, namely, Swami Vivekanand College of Education, Matlabpur, Roorkee, District Haridwar. Petitioner's husband passed away on 25.04.2021, and now the Institute is managed by other persons/trustees.



		6. Petitioner earlier filed WPMS No. 337 of 2023 before this Court, and pursuant to order passed in the said petition, she made a representation to the Competent Authority, and based on her representation, State Government has issued a letter on 11.09.2023, directing the Director, Higher Education, not to proceed with the process of selection for appointment to teaching & non-teaching posts in the Institution. 7. The grievance raised by petitioner is that despite the direction issued by State Government, Committee of Management of the aforesaid Institution is proceeding to hold selection for teaching and non-teaching positions, which, according to petitioner, is without any authority of law. 8. Since petitioner has placed reliance upon letter issued by Additional Secretary to the Director, Higher Education on 11.09.2023, therefore, without going into merits of the case, the writ petition is disposed of by permitting petitioner to approach the Secretary, Higher Education by making a representation. If petitioner makes representation within one week from today, decision thereupon shall be taken within four weeks thereafter. 9. It is made clear that appointment, if any, made by the Management Committee, the same shall abide by the decision to be taken on her representation. (Pankaj Purohit, J.) (Manoj Kumar Tiwari, ACJ) 19.12.2024 <i>Aswal</i>
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