



2025:UHC:11648

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>WPSS/2189/2018</u> <u>Hon'ble Rakesh Thapliyal, J.</u> 1. Mr. Anil Kumar Joshi and Mr. Anil Anthwal (through V.C.) learned counsel for the petitioner. 2. Mr. Pradeep Hairiya, learned Standing Counsel for the State. 3. Mr. M.S. Bhandari, learned counsel for the Committee of Management. 4. By the instant petition, petitioner is praying for following reliefs: <i>"i. Issue a writ of Mandamus directing the respondent no. 4 to grant approval on the selection which was conducted by the Committee of Management as per the select / merit list dated 12.09.2006.</i> <i>ii. Issue a writ of Certiorari quashing the impugned order dated 06.06.2018 passed by District Education Officer, Elementary Education, Tehri Garhwal, contained as Annexure No. 15 to the writ petition)</i> <i>iii. Issue a writ of Mandamus directing the respondents to absorb the petitioner in service from the date of taking the institute under grant in aid.</i> <i>iv. Issue a writ of Mandamus directing the respondents to issue appointment letter to the petitioner as per selection dated 12.09.2006 with all consequential benefits."</i> 5. The grievance of the petitioner is that petitioner was denied absorption on the ground that at the time of induction, petitioner was not having requisite qualification, however, with the prior permission of the Department during service period petitioner obtained eligibility on 04.11.2009. 6. It is argued by learned counsel for the petitioner that in fact, the issue as raised in the present petition is squarely covered by the judgment passed by this Court in WPSS No. 3491 of 2018 (Mamta Sah Vs. State of Uttarakhand and others) decided on 02.03.2022, which was affirmed by the Division Bench of this Court by judgment dated 05.03.2024 passed in Special Appeal No. 385 of 2022. In addition of this, learned counsel further submits that the issue is also covered by the recent judgment of the Hon'ble Supreme Court in the case of Uma Kant and another Vs. State of U.P. and others arising out of SLP (C) No. 22164 of 2024 decided on 31.10.2025, 2025 INSC 1273.



2025:UHC:11648

			7. Mr. Pradeep Hairiya, learned Standing Counsel for the State and Mr. M. S. Bhandari, learned counsel for the Committee of Management have not disputed that the issue as raised in the present writ petition is squarely covered by the aforesaid judgments. 8. In view of the submission as above, present writ petition is disposed of in terms of judgment passed by this Court in WPSS No. 3491 of 2018 (Mamta Sah Vs. State of Uttarakhand and others) dated 02.03.2022, which was affirmed by the Division Bench of this Court by judgment dated 05.03.2024 passed in Special Appeal No. 385 of 2022 as well as in terms of the judgment of the Hon'ble Supreme Court in the case of Uma Kant and another Vs. State of U.P. and others arising out of SLP (C) No. 22164 of 2024 decided on 31.10.2025, 2025 INSC 1273. (Rakesh Thapliyal, J.) 30.12.2025 SKS
--	--	--	---



2025:UHC:11648

--	--	--	--