

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.23888 OF 2004

ORDER:

This writ petition is filed seeking a Writ of Mandamus to declare the order of respondent No.2 in Rc.No.6282/B2/2002, dated 23.07.2003 and the consequential action of respondent No.3 keeping the petitioner under apprenticeship in absorption in Rc.No.10/2003-2004, dated 01.08.2003 as illegal and arbitrary, and consequential direction to pay regular scale attached to the post of Secondary Grade Teacher (SGT) from the date of absorption into the Aided Post.

2. Heard learned counsel for the petitioner and learned Government Pleader for Education and learned Government Pleader for School Education appearing on behalf of respondents.

3. Today, when the matter is taken up for arguments, the learned counsel for the petitioner would submit that the action of respondents while promoting the petitioner as SGT (Aided), placed him under apprenticeship for a period of two (02) years instead of giving a regular pay scale as illegal; and that this case is squarely covered by the judgment, dated 22.08.2013, in Writ Appeal No.202 of 2012, passed by a Division Bench of this Court.

4. The learned Government Pleader appearing for the respondents would contend that appropriate orders be passed by examining the case of the petitioner.

5. Having considered the rival submissions, this Court is of the considered view that this writ petition can be disposed of in terms of the judgment, dated 22.08.2013, passed in Writ Appeal No.202 of 2012, by a Division Bench of this Court, with a direction to the respondents to extend the regular pay-scale attached to the post of SGT to the petitioner herein instead of placing him on apprenticeship.

6. With the above observation, the present Writ Petition is disposed of. However, in the circumstances of the case, there shall be no order as to costs.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the present writ petition stand closed.

December 15, 2018
Mgr

ABHINAND KUMAR SHAVILI, J

