

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.44314 of 2018

ORDER :

This writ petition is filed seeking a Writ of Mandamus declaring the action of respondent No.4 in not allowing the petitioner to perform duties as Lecturer in Economics without considering the representations dated 01.06.2018 and 29.06.2018 and without issuing any notice and following the procedure contemplated under law, as illegal, arbitrary and contrary to law, and sought consequential directions to the respondent-authorities to pay back wages from 01.06.2018 till date with continuity of service.

Heard Sri Manda Adam, learned counsel for petitioner and the learned Government Pleader for Education.

It has been contended by the petitioner that she was appointed as a Lecturer in Economics on 01.07.2006, and ever since then, she has been discharging her duties. The petitioner further contended that while she was discharging her duties, the 4th respondent is not allowing her to discharge the duties from 1st June 2018, without assigning any reasons. Therefore, the petitioner has submitted representations to the 4th respondent on 01.06.2018 and 29.06.2018. The 4th respondent, without passing any orders on the said representations, is not allowing the petitioner to discharge her duties.

Learned counsel for petitioner submits that the action of respondent No.4 in not allowing the petitioner to discharge her duties as Lecturer in Economics is arbitrary and illegal and contends that

appropriate orders be passed directing the 4th respondent to allow the petitioner to discharge her duties.

Learned Government Pleader for respondents 1 to 3 contend that the petitioner is appointed on temporary basis in an un-aided vacancy and respondents have no role to play in the affairs and management of the institution, so as to prevent the petitioner from discharging her duties.

This Court, having considered the rival submissions made by the parties, is of the considered view that this writ petition can be disposed of directing the petitioner to submit a representation to the 3rd respondent/ Regional Joint Director within two weeks from the date of receipt of a copy of this order and the 3rd respondent shall consider the said representation and pass appropriate orders in another four weeks thereafter.

With these observations, the writ petition is disposed of. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

6th December, 2018

ajr