

**106 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-3154-2020 (O&M)

Date of decision: 11.01.2023

Sarika

....Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Mohan Singla, Advocate for the petitioner

Mr. Charanpreet Singh, AAG, Punjab

ANIL KSHETARPAL, J (Oral)

The petitioner prays for issuance of a writ in the nature of Certiorari to quash the order dated 30.01.2020, whereby the petitioner has been directed to report back at the Government Primary School, Thandal, District Hoshiarpur.

The petitioner was appointed at the Government Primary School, Thandal, as an Elementary Training Teacher. After some time, on her request, she was transferred to Government Primary School, Khaira Khurd, District Mansa, on the condition that she will be relieved subject to the availability of a substitute teacher.

It is the case of the respondent that in order to ensure her relieving, the petitioner arranged an Education Volunteer Ms. Ekta. It is the stand of the respondents that an Education Volunteer cannot be permitted to manage the school and the school cannot function properly in the absence of a suitable teacher.

Keeping in view the aforesaid facts, the petitioner has been directed to report back at the Government Primary School Thandal, District Hoshiarpur.

Once students are studying in the school, it is the paramount duty of the State to ensure the availability of teachers. The impugned order has been passed in the peculiar facts of the case. Hence, no ground to issue the writ, as prayed for, is made out.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

11.01.2023

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE