



2024:UHC:6407

HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition (S/ S) No. 1663 of 2024

Harish Chandra Singh

--Petitioner

Versus

State Of Uttarakhand & others

--Respondents

Presence:- Mr. B.M. Pingal, learned counsel for the petitioner.
Mr. R.C. Joshi, learned Brief Holder for the State of
Uttarakhand.

Hon'ble Pankaj Purohit, J. (Oral)

1. The petitioner was engaged as Assistant Teacher L.T. Grade on ad-hoc with Inter College-respondent no.5. It is the case of the petitioner that petitioner is going to retire on 31.10.2024. Before that petitioner has made an application to the respondent-Committee of Management on 15.02.2024 for giving Session End Benefit to the petitioner; Committee of Management forwarded a proposal to the respondent-Chief Education Officer, Nainital on 20.02.2024 for giving Session End Benefit to the petitioner. The proposal was sent back by respondent-Chief Education Officer, Nainital to the Management with some objection on 18.03.2024. Thereafter, after removing the objection, the Committee of Management has again forwarded the proposal of Session End Benefit of the petitioner on 09.05.2024 to the respondent-Chief Education Officer, Nainital but surprisingly it was again reverted back to the respondent-Committee of Management to explain as to how the petitioner is entitled to get Sessions End Benefit.

2. Vide order dated 02.09.2024 the respondent-State was directed to seek instruction in the matter.



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3. Today, on instructions dated 03.09.2024, which is taken on record, it is contended by learned State Counsel that according to respondent no.4-Chief Education Officer, Nainital the Session End Benefit is only admissible to the regular teachers and there is no provision in any of the Government Order to give Session End Benefit to the ad-hoc teachers.

4. Learned counsel for the petitioner has drawn the attention of this Court to the Government Order dated 08.04.2011 (Annexure 13 to the writ petition) and submitted that the Government order speaks about extending the Session End Benefit to the retired teachers and it has not made any distinction as to whether it is for the regular teachers or ad-hoc teachers.

5. This Court finds substance in the submission made by learned counsel for the petitioner simply for the reason that Session End Benefit is always given for the welfare and benefit of the students and not for the benefit of teachers, so that study of the students would not suffer due to mid-session retirement.

6. In this view of the matter, respondent no.4 is directed to take decision on the proposal dated 20.02.2024 submitted by respondent no.5-Committee of Management within seven days from today and extend Session End Benefit to the petitioner immediately within further seven days.

7. Accordingly, the writ petition stands disposed of.

(Pankaj Purohit, J.)
05.09.2024

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