



2026:UHC:8089

SL. No.	Date	Office Name, report, order or proceedings in this case and signature of the clerk	COURT'S OR JUDGE'S ORDERS
			<u>WPSS/2346/2026</u> Committee Of Management Rana Tharu Kishan Purva Madyamik Vidhyalaya --Petitioner Versus State Of Uttarakhand --Respondent <u>Hon'ble Pankaj Purohit, J.</u> Mr. Anil Kumar Joshi, learned Counsel for petitioner. 2. Mr. Narain Dutt, learned S.C. for the State. 3. Petitioner is the Committee of Management of 'Rana Tharu Kishan Purva Madyamik Vidhyalaya, Sripur Bichwa, Khatima, Udham Singh Nagar'. In the year 2022, there arose one vacancy on the post of Assistant Teacher (Hindi and Sanskrit) due to retirement of one Muniram Ram. Petitioner applied to respondent no.3-District Education Officer (Elementary Education) U.S. Nagar on 20.09.2022. The said application was returned to petitioner on 03.10.2022 informing that respondent no.3 has constituted a State level Committee for financial survey in the matter of appointments in None-Government Aided schools, and only after recommendation of Committee, permission of advertisement would be granted, and accordingly, the file, in original was returned to petitioner. 4. Petitioner again wrote a letter on 19.12.2025 to respondent no.2. The said application was found with certain deficiencies and petitioner was called upon to remove the same. Petitioner supplied the requisite documents on 13.07.2026 but instead of permitting the



		petitioner to advertise the aforesaid vacancy, no decision has been taken on the said application of petitioner; and it has been informed that since petitioner could not seek permission to advertise the vacancy within a period of three months from the date when the vacancy occurred, therefore, the post shall be deemed to be surrendered, and would be revived only after the approval of respondent no.2- Director (Elementary Education) Uttarakhand. Petitioner has moved a formal application for revival of post on 18.06.2026 which is still pending. 5. Learned Counsel for petitioner submits that due to non-availability of Assistant Teacher (Hindi and Sanskrit), students are suffering and therefore, respondent no.2 should revive the post which lapsed due to inaction on the part of respondent. There was no fault on the part of petitioner. 6. Learned Counsel for petitioner further submits that if a direction is issued to respondent no.2 to take decision on the application dated 18.06.2026 within a stipulated period, ends of justice would be met. 7. Per contra, learned State Counsel submits that application for revival of post was given by petitioner on 18.06.2026 to respondent no.3-District Education Officer (Elementary Education), Udham Singh Nagar while the revival can only be done by respondent no.2- the Director. 8. Having heard learned Counsel for the parties and having perused the writ petition, this Court is of the view that this writ petition can be disposed of finally directing respondent no.3-District Education Officer (Elementary
--	--	---



		Education), U.S. Nagar to forward the copy of application dated 18.06.2026 moved by petitioner, if not already sent, to respondent no.2-Director General, Elementary Education, Uttarakhand within a period of two weeks from the date of receipt of a certified copy of this order. If such application is received in the office of respondent no.2, he shall take decision there-upon and pass appropriate order to revive the post of Assistant Teacher (Hindi and Sanskrit) in the aforesaid institution within a period of four weeks thereafter. If the post is revived, respondent no.3 shall give permission to petitioner to advertise the post without any further delay within a period not later than one week from the revival of post. 9. Pending application, if any, stands disposed of. (Pankaj Purohit, J.) 09.09.2026 <i>RDang</i>
--	--	--