

HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition (S/S) No. 320 of 2021

Ashish Pokhriyal and others Petitioners

Vs.

State of Uttarakhand and others Respondents

Mr. M.C. Pant, Advocate for the petitioners.

Mr. N.P. Shah, Standing Counsel with Mr. Sushil Vasistha, Brief Holder for the State/respondents.

JUDGMENT

Hon'ble Ravindra Maithani, J. (Oral)

Petitioners were working in the Public Works Department from various dates on contracts basis. Their period of contracts had already expired, but now instant petition has been filed for the directions to the respondents to allow the petitioners to continue in their services; count their seniority from the initial dates with other reliefs, such as, conditions of certain minutes of meetings have also been questioned.

2. Heard learned counsel for the parties and perused the record.

3. When the matter is taken up, learned counsel for the petitioners would submit that, in fact, the department had already recommended for extension of the contract period of the petitioners, but the Government is not taking action on it.

4. Learned counsel for the petitioners would submit that representation dated 30.07.2020 (Annexure No.3 to the writ petition) has already been given to the Head of the Department, but no action has been taken on it.

5. Learned counsel for the petitioners would submit that a liberty may be given to the petitioners to make a fresh representation to

the respondent no.1 within a period of two weeks from today, with the further directions to respondent no.1, to take decision on the representation within the given time.

6. Learned State counsel gives a statement that in case, such a representation is made by the petitioners, a decision will be taken on it within a period of two months from the receipt of the representation.

7. Learned counsel for the petitioners also submits that the respondents may also be requested not to show any displeasure, merely on the ground that the petitioners have approached this Court. This Court does not see any reason to make any observation on this aspect because to approach the Court is right of an individual in a country where the rule of law prevails.

8. The writ petition is disposed of with the liberty to the petitioners to make a representation to respondent no.1 within a period of two weeks from today with further directions to respondent no.1 that upon such representation having been made, that shall be decided within a period of two months thereafter.

(Ravindra Maithani, J.)
13.08.2021