

B. Sufija, vs the State of Kerala

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Court : Kerala

Decided On : Jun-30-2020

Judge : Honourable Mr.Justice C.S.Dias

Appeal No. : WP(C)/13003/2020

Appellant : B. Sufija,

Respondent : The State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE C.S.DIAS TUESDAY, THE 30TH DAY OF JUNE 2020 / 9TH ASHADHA, 1942 WP(C).No.13003 OF 2020(A) PETITIONER: B. SUFIJA, AGED 34 YEARS, WIFE OF FIROZ KHAN, LPSA, SKV LOWER PRIMARY SCHOOL, KURIYODE, KOLLAM DISTRICT - 691 534, (RESIDING AT FIROZ SADANAM, VETTANCHIRA, POREDAM, CHADAYAMANGALAM, KOLLAM DISTRICT - 691 534). BY ADVS. SRI. V. A. MUHAMMED SRI. M. SAJJAD RESPONDENTS:

1 THE STATE OF KERALA REPRESENTED BY ITS SECRETARY TO GOVERNMENT, GENERAL EDUCATION DEPARTMENT,

SECRETARIAT ANNEXE-II, THIRUVANANTHAPURAM - 695 001. 2 THE DIRECTOR OF GENERAL EDUCATION, JAGATHY, THIRUVANANTHAPURAM - 695 014. 3 THE DEPUTY DIRECTOR OF EDUCATION, KOLLAM - 691 001. 4 THE DISTRICT EDUCATIONAL OFFICER, PUNALUR, KOLLAM - 691 305. 5 THE ASSISTANT EDUCATIONAL OFFICER, CHADAYAMANGALAM, KOLLAM DISTRICT - 691 534.

6 THE MANAGER, SKV LOWER PRIMARY SCHOOL, KOLLAM DISTRICT - 691 534. 7 THE HEADMASTER, SKV LOWER PRIMARY SCHOOL, KURIYODE, KOLLAM DISTRICT - 691 534. SMT. NISHA BOSE, SR. GP THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30.06.2020, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The petitioner was appointed against additional anticipated vacancy during the ban period. As the Manager had not executed the required bond, her approval was only granted from 01.06.2011.

2. It is the case of the petitioner that the amendment

was interfered by this Court in W.P(C) No.19008 of 2013. Hence the Government as to consider the question of approval of appointments of teachers effected during ban period with effect from the initial date of appointment. The petitioner also contends that subsequently the Manager had executed the bond.

3. In the aforesaid circumstances the petitioner has preferred Ext.P8 Revision Petition before the 1st respondent. The petitioner seeks an expeditious consideration of Ext.P8.

4. Heard learned counsel for the petitioner and the learned Senior Government Pleader for the respondents 1 to 5. In view of the limited relief that I propose to pass, I dispense with notice to the respondents 6 and 7.

5. The learned counsel for the petitioner reiterated the

contentions pleaded in the writ petition. He prayed that the 1st respondent may be directed to consider and dispose of Ext.P8 within a time frame. The learned Senior Government Pleader did not object to the prayer an expeditious consideration of Ext.P8.

6. Considering the averments pleaded in the writ

petition and after hearing the learned counsel for both sides and also taking into consideration the fact that Ext.P8 is pending before the 1st respondent, without going into the merits of the dispute, I deem it appropriate to direct the 1st respondent to consider and dispose of Ext.P8 in accordance with law, within a period of three months from the date of receipt of a copy of this judgment. The 1st respondent shall afford the petitioner and the respondents 6 and 7 or their respective representative an opportunity of being heard before passing orders on Ext.P8. The petitioner is at liberty to produce a copy of

this judgment along with a copy of the memorandum of writ petition before the 1st respondent. This writ petition is ordered accordingly. Sd/- C.S.DIAS JUDGE SPR

APPENDIX PETITIONER'S/S EXHIBITS: EXHIBIT P1 TRUE COPY OF THE APPOINTMENT ORDER OF THE PETITIONER DATED 06.06.2006. EXHIBIT P2 TRUE COPY OF THE ORDER OF 5TH RESPONDENT VIDE NO.C/2456/2006/L.DIS DATED 14.11.2006. EXHIBIT P3 TRUE COPY OF THE ORDER OF 4TH RESPONDENT VIDE NO.B1/7646/06/K.DIS DATED 20.03.2007. EXHIBIT P4 TRUE COPY OF THE ORDER OF THE 3RD RESPONDENT VIDE NO.B2/27914/06/K.DIS DATED 14.02.2007. EXHIBIT P5 TRUE COPY OF THE GO(RT)NO.29/2016/G.EDN. DATED 29.01.2016. EXHIBIT P6 TRUE COPY OF THE JUDGMENT IN W.A NO.2290/2015 DATED 25.07.2017. EXHIBIT P7 TRUE COPY OF THE JUDGMENT IN W.A NO.2091/2018 DATED 28.06.2019. EXHIBIT P8 TRUE COPY OF THE

REVISION PETITION SUBMITTED BY THE PETITIONER BEFORE
THE GOVERNMENT DATED 29.05.2020. RESPONDENT'S/S
EXHIBITS: NIL.

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