

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (S) No. 6349 of 2014

Chandan Kumar Shaw, S/o Late Prafulla Kumar Shaw, Assistant Teacher, Project Girls High School, Dumariya, P.O. Dumariya, P.S. Dumariya, District Singhbhum East

... .. Petitioner

Versus

1. The State of Jharkhand
2. The Principal Secretary, Department of Human Resources Development, Government of Jharkhand, Telephone Bhawan, P.O. & P.S. Dhurwa, Ranchi
3. The Director, (Secondary Education) Department of Human Resources Development, Government of Jharkhand, Telephone Bhawan, P.O. & P.S. Dhurwa, Ranchi
4. The Regional Deputy Director, Education, Kolhan Division, P.O. & P.S. Jamshedpur, District Singhbhum East, Jharkhand
5. The District Education Officer, Jamshedpur, P.O. & P.S. Jamshedpur, District Singhbhum East, Jharkhand Respondents

CORAM : HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

For the Petitioner : Mr. Shubha Jha, Advocate

For the Respondents : J. C. to G. P. - VI

03/18.04.2016 Heard Mrs. Subha Jha, learned counsel appearing for the petitioner and learned J. C. to G. P. - VI of the respondents.

In this application, the petitioner has prayed for quashing of that portion of the report dated 30.09.2007 submitted by the Three Men Screening Committee constituted in terms of the judgment passed by the Hon'ble Supreme Court in Civil Appeal nos. 6626-6675 of 2001 whereby and whereunder the committee did not recommend the approval of the petitioner's service as Assistant Teacher in Project Girls High School, Dumaria, district Singhbhum East.

It has been submitted by the learned counsel for the petitioner that the petitioner was appointed on 25.02.1986 as an Assistant Teacher and has also obtained B.Ed. degree in 1986 from Vidyasagar University. It has been submitted by the learned counsel for the petitioner that the petitioner was appointed by the Managing Committee of the school after a year the project school was identified. Learned counsel in support of her contention has referred to an order passed by this Court in the case of Arun Kumar Sahu vs. State of Jharkhand & Anr. W.P.(S) No. 5717 of 2013. It has been submitted that the case of the petitioner stands on better footing to that of Arun

Kumar Sahu as he was appointed by the Managing Committee of the school after almost two years from the date the project school was identified and that the subsequent degrees obtained by him were also much lesser than that of the petitioner. However, the Three Men Screening Committee had rejected the claim of the petitioner solely on the ground of the appointment of the petitioner by the Managing Committee after one year from the selection of the said project school.

Learned J. C. to G. P. - VI, has submitted that the grievance of the petitioner shall be looked into by the competent authorities if the petitioner represents the authorities.

In view of the submissions advanced by the learned counsel for the parties and taking into consideration the case of Arun Kumar Sahu, this writ application is disposed of with a liberty to the petitioner to file a fresh representation before the respondent no. 3 giving in detail his claim and if such representation is filed the respondent No. 3 shall take an informed decision within a period of eight weeks from the date of receipt of the representation. While considering the representation the respondent no. 3 shall also take note of the order passed by this Court in the case of Arun Kumar Sahu vs. State of Jharkhand & Anr. in W.P. (S) No. 5717 of 2013 and Ragunath Sahu vs. State of Jharkhand & Anr. W.P. (S) No. 5876 of 2013.

It goes without saying that if the claim of the petitioner is found to be genuine necessary monetary benefits shall be released in favour of the petitioner without any delay.

This writ application stands disposed of.

Pending I.A.s, if any, also stands disposed of.

(R. Mukhopadhyay, J.)

Umesh/-