

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(S) No.5140 of 2024

1. Md. Israfil Ansari, s/o Md. Israil Ansari, aged about 32 years, R/o 232, Village Angwali, North Angwali, PO Angwali, PS-Petarwar, District-Bokaro, Jharkhand-825102,

2. Farida Gulshan, W/o Mojahid Alam, aged about 43 years, R/o Near Madina Masjid, LAC Factory Road, Hindpiri, P.O.-GPO, PS-Hindipiri, District-Ranchi, Jharkhand-834001,

3. Md. Salahuddin, S/o Md. Zainul Abedin, aged about 48 years, R/o Maulana Azad Colony, Lowadih, PO Namkum, PS-Namkum, District-Ranchi, Jharkhand-834010,

4. Shafeeullah, S/o Zainul Aabidin, aged about 31 years, R/o Village Chatwal, PO and PS-Chanho, District-Ranchi, Jharkhand-835214.

5. Khairun Nisa, W/o Md. Mazhar Danish @ Mazharul Hasan, aged about 32 years, R/o Village-Darid, PO-Uttasara, P.S.- Petarwar, District-Bokaro, Jharkhand-829121.

6. Tarannum Ara, W/o Naqeeb Parwez Ansari, aged about 38 years, R/o Near Belal Masjid, Village-Karma, PO-Irba, PS- Ormanjhi, District-Ranchi, Jharkhand-835217.

7. Kamal Ahmed, S/o Abdul Wadood, aged about 43 years, R/o Jaintgarh, Muslim Basti, PO and PS-Jagannathpur, Jaintgarh, District-West Singhbhum, Jharkhand-833214. ayed about 41 yeas

8. Afroz Ansari aged about 41 years S/o Zainul Abedin, Village-Pandri, PO- Pandri, PS-Chanho, District-Ranchi, Jharkhand-835213.

9. Md. Islamuddin, S/o Amir Uddin aged 39 years R/ Village Gondwa, P.O. Madautakka, P.S Karon District Deoghar, Jharkhand.

10. Md. Muzibullah Ansari, S/o Md. Jasimuddin Ansari, aged about 40 years, R/o Village-Kelhawa, PO-Ambabar, P.S.- Kelwa, District-Palamu, Jharkhand-822122.

11. Md. Naeemuddin, S/o Md. Sarfuddin, aged about 41 years, R/o Tola-Chaurha, PO & PS-Panki, District-Palamu, Jharkhand-822122.

12. Md. Taufique, S/o Md. Samaun, aged about 31 years, R/o Village-Barmasia, PO-Charakmara, PS-Sarath, District- Deoghar, Jharkhand-814149.

13. Md. Shamim Raza, S/o Late Md. Hezab Ali, aged about 33 years, R/o Mansingha, Lakhipur Sajanpur, P.O Narayanpur, P.S.-Rajmahal, District-Sahebganj, Jharkhand- 816108.

14. Ziaullah, S/o Shahadat Husain, aged about 32 years, R/o Gram-Oldaha, Mahjori, PO-Karanjo, PS-Margomunda, District-Deoghar, Jharkhand-815353.

15. Wasim Akram, S/o Md. Ibrahim, aged about 36 years, R/o H.No. 108, Madarsa Road, Gulam Toli, PO and PS-Itki District-Ranchi, Jharkhand-835301.

16. Md. Azaz Ahmad, S/o Wali Mohmmmd, aged about 42 years, R/o Village-Kamta Kuchu, PO-Kuchu and PS-Ormanjhi, District-Ranchi, Jharkhand-835219.

17. Gulam Hesamuddin, S/o Abdul Quddus, aged about 25 years, R/o Amraul, PO and PS-Chouparan, District-Hazaribag, Jharkhand-825406.

18. Shama Khatun, D/o Seraj Ansari, aged about 34 years, R/o Village Rampur, PO-Rampur, PS & District-Lohardaga, Jharkhand-835302.

19. Shamsheer Alam Ansari, S/o Shamsuddin Ansari, aged about 38 years, R/o Lanka, PO-Ghaghri, PS-Chandankiyari, District-Bokaro, Jharkhand-828134.

20. Farah Afrin, W/o Maqsood Alam, aged about 30 years, R/o Tigra, PO-Tigra, PS-Ratu, District-Ranchi, Jharkhand- 835222.

21. Nusrat Jahan, W/o Abul Hassan, aged about 46 years, R/o Gram Barwe, PO & PS-Dahu, District-Ranchi, Jharkhand- 835219.

22. Gufrana Ahmadi, w/o Irshad Ahmad, aged about 34 years, R/o Dhobdiha, Lesliganj, PO and PS-Dhobdiha, District- Palamu, Jharkhand-822118.

23. Nafisha Khatoon. W/o Toukir Ansari, aged about 49 years, R/o Village-Hisri, PO-Hisri, PS-Kisko, District-Lohardaga, Jharkhand-835302.

24. Mahboob Hajam, S/o Shahban Hajam, aged about 44 years, R/o Village-Hisri, P.O. & P.S. Bagru, District-Lohardaga, Jharkhand-835302

25. Shabana Shoaib, D/o Md. Shoaib Ansari, aged about 34 years, Ro Vill-Baraudi, PO & PS-Ratu, District-Ranchi, Jharkhand-835205

26. Md. Imran Ansari, S/o Md. Ibrahim Ansari, aged about 34 years, R/o Vill-Karmatand, P.O. & P.S-Govindpur, District- Dhanbad, Jharkhand-828109.

27. Md. Shamsheer Alam, S/o Aazad Ali, aged about 34 years, R/o Vill-Ramkol, PO-Kamaldouri, P.S & District-Godda, Jharkhand-814165

25. Md. Haroon Rashid, S/o Abdul Rashid Ansari, aged about 38 years, R/o Vill-Jabra, P.O.& PS-Daru, Districts Hazaribagh, Jharkhand-825313

29. Shaheda Praween, W/o Md. Nasim Ansari, aged about 42 years, R/o Vill-Rahat Nagar, Bagru Road, P.O. & PS- Lohardaga, District-Lohardaga, Jharkhand-835302.

30. Sharqua Jamal, W/o Imran Hussain, aged about 38 years, R/o Vill.-Itki Thakurgaon, Station Road, P.O. & P.S-Itki, District-Ranchi, Jharkhand-835301.

31. Shagufta Yasmin, D/o Yasin Ansari, aged about 29 years, R/o Vill-Barwatoli, PO-Tala, P.S. Chanho, District-Ranchi, Jharkhand-835214.

32. Darakhshan, D/o Md. Siddique, aged about 43 years, R/o Ward No.-6, Near Chhoti Masjid, P.O. & PS Chakradharpur, District-West Singhbhum, Jharkhand-833102.

33. Rafat Ali, S/o Quadrat Ali, aged about 38 years, R/o Vill.- Hrijan Mohalla, PO-Shahpur, P.S.Chainpur, District- Palamu, Jharkhand-822110.

34. Md. Moinuddin Ansari, S/o Md. Nezamuddin Ansari, aged about 41 years, R/o Near Imamiya Mashjid, Vill-Shahpur, P.O-Shahpur, P.S-Chainpur, District-Palamu, Jharkhand- 822110.

35. Fahmida Khatoon, D/o Md. Quddus Ansari, aged about 38 years, R/o 15A, Murma Nayasarai, P.O. & P.S.-Tundul, District-Ranchi, Jharkhand-835303.

36. Khushboo Tarannum, D/o Md. Habib Ansari, aged about 33 years, R/o Near Harmu Kabristan, Azad Hind Nagar, Harmu, P.O.-Harmu, P.S.-Argora, District-Ranchi Jharkhand-83-4002.,

37. Shabana Parween, D/o Md. Habib Ansari, aged about 32 years, R/o Old Bank of India, Vill.-Piska Nagri, P.O. & PS Nagri. District-Ranchi, Jharkhand-835303.

38. Mahtab Perween, w/o Md. Barik, aged about 38 years, R/o Bangla Toli Road, Pundag, P.O.& P.S.-Pundag, District- Ranchi, Jharkhand-83-4004.

39. Aasiya Tabassum, D/o Md. Haris, aged about 36 year R/o Near Adiwasi Ground, Tanzeem Nagar, Hindpiri, P.O GPO, P.S. Hindpiri, District Ranchi Jharkhand-834001.

40. Md. Wasim, 5/o Md. Khoda Ansari, aged about 41 years, R/o Vill.-Mesal, P.O-Murma, P.S.-Mandar, District-Ranchi, Jharkhand-835205.

41. Ali Raza, S/o Md. Habibullah, aged about 32 years, R/o Vill.-Barmasiya, P.O.-Sadharina, P.S.-Sarath, District Deoghar, Jharkhand-814149.

42. Roqaiyya Perween, D/o Md. Ashraf, aged about 32 years, R/o Brambey, P.O.-Brambey, P.S.-Mandar, District-Ranchi, Jharkhand-835205.

43. Md. Safiullah, S/o Abdul Quadir, aged about 40 years, R/o Vill.-Bandhdih, P.O.-Garsara, P.S.-Palojori, District-Deoghar, Jharkhand-814146.

44. Azimuddin Ansari, S/o Subhan Ansari, aged about 46 years, R/o Vill.-Baridih, P.O.-Baridih, P.S.-Kuru, Jingi, District-Lohardaga, Jharkhand-835213.

45. Jan Mohammad, S/o Mobarak Hussain, aged about 45 years, R/o Vill-Hurburi, PO & PS-Ratu,, District-Ranchi, Jharkhand-835222

46. Nikhat Yasmin, D/o Md. Suleman, aged about 40 years, R/o Vill-Garri, P.OL & PS-Kasman, District-Bokano), Jharkhand-827302

47. Taslim Fatma, W/o Tanwir Alam, aged about 37 years. R/o Dharamsala Road, Gav Bhiter, PO & PS-Gobindpur, District-Dhanbad, Jharkhand-828109

48. Bilquees Fatma, D/o Md. Salim Kazmi, aged about 40 years, R/o Vill-idigah Mohalla, PO & PS Simdega, District Simdega, Jharkhamdi-835223.

49. Md. Irshadi Alam, Si/o Md., Akhtar Ansari, aged about, 32 years, R/o Vill.-Kangallo, PO-Achaljamo, PS-Bishnugarh, District-IfBnzaniibagh, Jhankhand-825312.

50. Farhana Khatoon, D/o Md. Qumruz Zama, aged about 33 years, R/o Vill.-Taiya, P.O.-Konwai, P.S.-Panki, District- Palamu, Jharkhand-822122.

51. Shabnam Aara, D/o Md. Irfan, aged about 31 years, R/o Vill.-Pakdih, P.O.-Bena, P.S. & District-Jamtara, Jharkhand- 813151.

52. Md. Sarwar Nawaz, S/o Md. Mansoor Ansari, aged about 35 years, R/o Vill.-Ambatand, P.O. & P.S.-Giridih, District- Giridih, Jharkhand-815301.

53. Ruquaiyya Khatoon, D/o Abdul Mannan, aged about 33 years, R/o Village-Chakla, P.O.-Chakla, PS-Ormanjhi, District-Ranchi, Jharkhand-835219.

54. Gulnaz Perween, D/o Sajid Ansari, aged about 33 years, R/o Vill-Baragain, House No-109, Masjid Mohalla, Near Jama Masjid, P.O.-Lem Baragain, P.S.-Sadar, District-Ranchi, Jharkhand-834009.

55. Muzahirul Haque, S/o Md. Quasim, aged about 39 years, R/o Vill-Gurugain, P.O.-Gurugain, P.S.-Thakurgaon, Mohanpur, District-Ranchi, Jharkhand-835205.

56. Nishat Anjum, w/o Md. Shafi Ahmad, aged about 46 years, R/o 996, Vill.-Bhaithi Toli, P.O.-Simdega, P.S.-Simdega, District-Simdega, Jharkhand-835223.

57. Arshad Husain, S/o Rustam Ali, aged about 42 years, R/o Vill.-Pandri, P.O.-Pandri, P.S.-Chanho, District-Ranchi, Jharkhand-835213.

58. Hifzur Rahman, S/o Abdus Salam, aged about 44 years, R/o Vill.-Sons, P.O.-Mandar, P.S.-Chanho, District-Ranchi, Jharkhand-835214.

59. Zeenat Tabassum, D/o Md. Zafiruddin, aged about 45 years, R/o Vill.-Doranda, Beldar Mohalla, P.O.-Doranda, P.S.-Doranda, District-Ranchi, Jharkhand-834002.

60. Shahnaz Parween, D/o Nayeem Ansari, aged about 33 years, R/o Vill.-Mohanpur, P.O.-Gurugain P.S.-Burm, District-Ranchi, Jharkhand-835205.

61. Md. Sajid Ali Akhtar, S/o Md. Shafiuddin, aged about 42 years, R/o Vill.-Maliachak, P.O.-Maliachak, PS-Hanwara, District-Godda, Jharkhand-814155.

62. Aisha Tabassum, W// Md. Arif, aged about 45 years, R/o Idgah Mohalla, Nagar Panchayat-Simdega, Ward No.17. Mohalla-Idgah Mohalla, P.O. & P.S.-Simdega, Jharkhand- 835223.

63. Hassamul Hasan, 5/ Late Md. Shakil, aged about 40 years. R/o Vill.-Jainthgarh, P.O.-Jainthgarh, P.S.-Jagannathpur, District-West Singhbhum, Jharkhand-833214.

64. Md. Shamim Ahmad, S/o Md. Shakir Ali, aged about 41 years, R/o Vill-Pandiri, P.O.-Pandri, PS-Pandri, District- Ranchi, Jharkhand-835213.

65. Md. Mahfuz Alam, S/o Md. Salim Ansari, aged about 43 years, R/o Vill.-Kuruwa, P.O-Kuruwa, P.S.-Karmatanr Nala, District- Jamtara, Jharkhand-815352

66. Neha Hafiz, D/o Md Hafiz Ahmad, aged about 33 years, R/o Vill.-Chuna Shah Colony, P.O.-Azadnagar, P.S.-Mango, Town- Jamshedpur, District-East Singhbhum, Jharkhand-832110.

67. Sabina Khatoon, W/o Aslam Ansari, aged about 41 years, R/o Sector-12, Ukrid, P.O-B.S. City, PS.-Sector-12, District-Bokaro, Jharkhand-827001. ... Petitioner

Versus

1. The State of Jharkhand through the Chief Secretary, Government of Jharkhand, having its office at Project Bhawan, P.O. & P.S. Dhurwa, District Ranchi.

2 The Secretary, School Education and Literacy Department, Government of Jharkhand, having its office at Project Bhawan, P.O. & P.S. Dhurwa & District - Ranchi.

3. The Director, School Education and Literacy Department. Government of Jharkhand, having its office at Project Bhawan, P.O. & P.S. Dhurwa & District - Ranchi.

4. The Jharkhand Staff Selection Commission through its Secretary, having its office at Kali Nagar, Chai Bagan, P.O. & P.S. Namkum & District-Ranchi

5. The Chairman, Jharkhand Staff Selection Commission, having its office at Kali Nagar, Chai Bagan, P.O & PS Namkum & District - Ranchi

6. The Examination Controller, Jharkhand Staff Selection Commission, having its office at Kali Nagar, Chai Bagan, P.O. & P.S. Namkum & District - Ranchi

7. The Deputy Examination Controller, Jharkhand Staff Selection Commission, having its office at Kali Nagar, Chai Bagan, P.O., P.S. Namkum & District - Ranchi.

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioner : Mr Afaq Rashidi, Adv.

For the Respondents: A.C to AAG-II

02/Dated:23.09.2024

Heard learned counsel for the parties.

2. The instant writ application has been preferred for following relief:-

(i) For constituting committee of experts including technical experts of Urdu and at least two representatives from the petitioners tasked with reviewing after then submitting a report on the questions allegedly taken from outside the syllabus in the 'Urdu' language section of Paper-4 in the Jharkhand Primary School Trained Assistant Acharya Combined Competitive Examination, 2023, which was conducted following advertisement no. 13/2023 (Annexure-2) by the Jharkhand Staff Selection Commission for the recruitment of Graduate Trained Teacher. Upon receiving the committee's report, the Jharkhand Staff Selection Commission should be instructed either to eliminate the out-of-syllabus questions and award one mark each to all petitioners for those questions, or to conduct a fresh examination specifically for the 'Urdu' language section of Paper-4.

(ii) For issuance of a writ of mandamus directing the respondent, Jharkhand Staff Selection Commission, to nullify the following Question IDs: 271 to 276, 278 to 294, 296, 299, 301 to 304, 306 to 315, 317 to 335, 337 to 340 and 342 to 360 which were asked in the 'Urdu' language paper of Paper-4 in the Jharkhand Primary School Trained Assistant Acharya Combined Competitive Examination, 2023, on the grounds that they were outside the prescribed syllabus for the examination for the appointment of Graduate Trained Teacher. Additionally, to direct the Jharkhand Staff Selection Commission to award one mark for each disputed or out-of-syllabus question asked in the 'Urdu' language paper in Paper-4, and to publish the results only after making these adjustments. And to such effect some of the Petitioners have represented on 05.08.2024 (Annexure-7) and on 29.08.2024 (Annexure- 7/1) to the Respondent JSSC,

(iii) In the interim, publication of the result for appointment of Graduate Trained Teacher pursuant to Jharkhand Primary School Trained Assistant Acharya Combined Competitive Examination, 2023 be stayed till the disposal of the present writ application.

3. It has been submitted by the learned counsel for the petitioners that though they have preferred a representation before the respondent-authorities to constitute an inquiry committee of experts to give their opinion as to whether the questions were out of syllabus or not; however, the said representation has not yet been disposed of.

4. Learned counsel for the respondent-State submits that since no counter-affidavit has been filed, accordingly, the instant writ application may be disposed of by directing the respondent no. 6 to look into matter.

5. Having regard to the limited submissions of the learned counsel for the parties, the instant writ application is hereby disposed of by directing respondent

no. 6 to treat this writ application as representation and take a decision with regard to claim made by the petitioners in the instant writ application; especially Annexure-8 of the writ petition, by passing a reasoned and speaking order within a period of 12 weeks from the date of receipt/production of a copy of this order.

6. One of the petitioners is directed to serve a copy of this writ application along with this order to the respondent no.6 as early as possible so that the grievance of the petitioners can be redressed at the earliest.

7. Accordingly, the instant writ application is hereby disposed of. Pending I.As, if any, also closed.

(Deepak Roshan, J.)

Fahim-Vedanti/-