

(2008) 08 JH CK 0096
In the Jharkhand High Court

Amit Kumar Mukherjee and Sujit Kumar Nayak	APPELLANT
Vs	
The State of Jharkhand and Others	RESPONDENT

Date of Decision : 05-08-2008

Acts Referred:

Citation : (2008) 08 JH CK 0096

Hon'ble Judges : Dabbiru Ganeshrao Patnaik, J

Bench : Single Bench

Judgement

D.G.R. Patnaik, J.—This writ application has been filed for issuance of a direction to the Respondents to consider the case of the petitioners for their appointment as Para Teachers under the Jharkhand Education Project Scheme.

2. Learned Counsel for the petitioners explains that the petitioner No. 1 possesses the qualifications of Matriculation, Intermediate Science and Bachelor in Computer Appliances and has also enrolled in Master Degree in Computer Appliances. Likewise, the qualification of the petitioner No. 2 is B.Sc. in Zoology (Hons). Both the petitioners have applied for their appointment as Para Teachers in the School situated at Navaratri Tola, Bundu in the district of Ranchi. The candidature of the petitioners was considered by the "Gram Shiksha Samity" on 07.05.2007 but without considering the qualifications possessed by them, the "Gram Shiksha Samity" had recommended the names of three other candidates who possess lesser marks than the petitioners. When such recommendations was made, the petitioners preferred an objection before the Deputy Commissioner (Respondent No. 2), who on considering the case of the petitioners, remanded the matter back for reconsideration to the "Gram Shiksha Samity". Thereafter, the "Gram Shiksha Samity" had again held its meeting on 14.05.2007 and by observing that the meeting was being held on account of the objections raised by the petitioners, had again recommended the names of the same three persons without assigning any reasons as to why the petitioners were deprived of the benefit of such recommendation. Learned Counsel explains that the grounds of original objection as taken by the petitioners still continues even after the second

round of decision taken by the "Gram Shiksha Samity", as because though the petitioners possess better marks and higher qualifications but their candidature has been rejected giving preference to three others, without assigning any reasons as to why petitioners have been deprived of the benefits.

3. Learned J.C. to G.A., representing the Respondents is present, though no counter affidavit has been filed.

4. Considering the facts and circumstances, the petitioners are directed to file a fresh representation before the Respondent No. 2, who on receipt of the representation, shall within two weeks from the date of receipt of the representation, direct a fresh meeting of the "Gram Shiksha Samity", for considering the candidature of the petitioners alongwith the candidature of other applicants and to select the Para Teachers for the School under reference in accordance with the rules stipulated there for and in the event the candidature of the petitioners is rejected, then to assign reasons for the same. If no Para Teacher has already been appointed and taken charge of office pursuant to any earlier decision of the Respondent No. 2 in the light of the recommendations made by the "Gram Shiksha Samity", the exercise to hold a meeting of the "Gram Shiksha Samity" for the purposes directed above, shall be completed within three weeks from the date of order passed by Respondent No. 2 on the representation of the petitioners.

5. With these observations, this writ application stands disposed of.