

(2017) 01 JH CK 0173
In the Jharkhand High Court
Case No : 3984 of 2007

Dr. Surendra Kumar Mehta @ Surendra Kumar Mehta	APPELLANT
Vs	
The State of Jharkhand	RESPONDENT

Date of Decision : 06-01-2017

Acts Referred:

Citation : (2017) 01 JH CK 0173

Hon'ble Judges : Chandrashekhar

Bench : SINGLE BENCH

Advocate : Vishal Kr. Singh

Judgement

1. Counsel for the petitioners is absent. There is no representation on behalf of the petitioners.
2. This writ petition was filed on 19.07.2007 and thereafter it has been adjourned at the instance of the counsel for the petitioners on previous three occasions. Considering the aforesaid facts, I am not inclined to adjourn the matter.
3. Heard learned counsel for the respondent-State of Jharkhand.
4. The petitioner is aggrieved of office orders dated 03.11.2006 and 05.11.2006 whereby they have been terminated from service.
5. Briefly stated, pursuant to an advertisement issued by the Jharkhand Public Service Commission for appointment of Primary Trained Teachers, the petitioners appeared in the Primary Trained Teachers Recruitment Examination 2002-03, which was held on 27.05.2003. They were declared successful and finally appointed as Primary Trained Teachers. Vide order dated 04.06.2004, the Block Education Extension Officer permitted them to join the post of teacher. Subsequently, for verification of their certificates when a letter was written to the Bihar School Examination Board, Patna, it informed the respondent-State that the Roll Code used in the Teachers Training Certificate submitted by the

petitioners was not used by the Board for the sessions 1988-90. In the supplementary counter-affidavit the respondent-State has asserted that letters dated 04.02.2006, 10.02.2006 and 04.03.2006 were written to the Bihar School Examination Board, Patna, in response thereof, the Deputy Secretary (Vigilance), Bihar School Examination Board, Patna vide its letters dated 07.04.2006 and 28.07.2006 gave the aforesaid information. The matter was considered by the District Education Establishment Committee in its meeting held on 25.10.2006 and a decision was taken to terminate the service of the petitioners besides, recovering the salary paid to them and to lodge a first information report. Pursuant to decision of the District Education Establishment Committee, vide orders contained in letters dated 03.11.2006 and 05.11.2006 petitioners were terminated from service.

6. In the present proceeding, except referring to few orders passed by this Court whereunder a direction was issued to the respondent-State to consider the case of alleged similarly situated teachers, the petitioners have not produced any evidence which would prima-facie disclose that termination of the petitioners from service is illegal and unjustified. Orders passed by this Court in W.P.(S) Nos. 3058 of 2006, 3349 of 2006 and 3579 of 2006 and other cases were passed in the facts of the case, however, in view of the specific stand taken by the respondent-State which is supported by letters issued by the Deputy Secretary (Vigilance), Bihar School Examination Board, Patna no benefit of those orders can be extended to the petitioners.

7. Finding no merit in the writ petition, it is dismissed.