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**(2010) 01 JH CK 0097**  
**In the Jharkhand High Court**

Hanfia High School

APPELLANT

Vs

Jharkhand Academic Council and Others

RESPONDENT

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**Date of Decision :** 29-01-2010

**Acts Referred:**

**Citation :** (2010) 01 JH CK 0097

**Hon'ble Judges :** R.K. Merathia, J

**Bench :** Single Bench

**Final Decision :** Dismissed

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## Judgement

Ramesh Kumar Merathia, J.—Heard the parties at length.

2. It is claimed by Md. Tahir Hussain that for protecting the career of the students, he has filed this writ petition on behalf of the School for a direction upon the respondents to issue registration certificates with regard to 319 students to enable them to appear in the Annual Secondary Examination scheduled to be held in 2010.

3 There is serious dispute that Md. Tahir Hussain is the Principal of the school. There is also serious dispute with regard to his locus standi to pursue this writ petition on behalf of the school/the students. The parties have made serious allegations against each other regarding malfunctioning of the School, the officers of the Education department and the Academic Council.

4. All these disputed facts cannot be decided in this writ petition. However, undisputedly only 61 registration forms with specific serial numbers being Serial Nos. 285615 to 285675 were issued to the school in question against 61 students, but 319 applications along with registration fees was deposited by Md. Tahir Hussain, claiming to be the Principal of the petitioner school.

5. In that view of the matter, the claim for issuance of 361 certificates is untenable. However, it is not in dispute that during the pendency of this writ petition, 61 registration certificates out of the claim of 319 have been issued.

6. It prima facie appears from the records of this case that a scam/bungling is going on in the field of education in different parts of this State. Many schools are practically non-existent and they are schools for the name sake. How the so called students of such schools are benefited is also a big question. There is also no fight between the members of the Managing Committee and/or the teachers/ staff in many schools. The end result of all this is that the students, the society and the education suffer.

7. A compassionate view keeping in mind the career of the students could be taken but, if such compassion continues by this Court, such scam/bungling will never end. In the larger interest, these wrong things has to be stopped with firm hands by the Court whosoever may suffer. The students who take wrong routes know that they are not on right track and that they are taking risk. What can be expected from such students, teachers and such schools. The society should know that the Court are not there to approve wrong things on the plea of equity and compassion, when a matter comes to Court. A "stop-loss" has to be put some day some where.

8. It is expected that the Secretary, Human Resource Development Department will hold thorough inquiry into all such matters and will take appropriate action against the concerned schools/persons in accordance with law within two months from the date of receipt/production of a copy of this order.

9. With these observations arid directions, this writ petition is dismissed. However, no costs.

As prayed, a copy of this order may be handed over to Mr. R.R. Mishra, G.P.II for communication to Secretary, H.R.D., Government of Jharkhand, Ranchi.