
(2013) 09 JH CK 0006
In the Jharkhand High Court
Case No : WP (S) No. 2266 of 2013

Jagrani Kerketta

APPELLANT

Vs

The State of Jharkhand and Others

RESPONDENT

Date of Decision : 16-09-2013

Acts Referred:

Citation : (2013) 4 JLJR 677

Hon'ble Judges : Aparesh Kumar Singh, J

Bench : Single Bench

Advocate : Sumeet Gadodia, for the Appellant; B.N. Tiwary, for the Respondent

Judgement

Aparesh Kumar Singh, J.—Heard counsel for the parties. The petitioner claims to have been appointed as Assistant Teacher by the Managing Committee of R.C. Primary School, Churia, Thethai Tangar Anchal, District Simdega, a Government Aided Minority School on 24.2.2012 (Annexure-1). According to the petitioner pursuant to an advertisement published on 2.2.2012 for appointment of Assistant Teacher on the vacant post in the said school in presence of representative of the State Government the selection exercise was concluded. The petitioner appeared in the said selection exercise and was possessing the minimum requisite qualification of Intermediate along with Primary Teachers' Training of two years course issued by the Jharkhand Academic Council. Thereafter, on his appointment by the Managing Committee the records have been sent to the District Superintendent of Education, Simdega for approval as it is necessary requirement of law in respect of such appointment in Government Aided Minority School. However, no decision has been taken as yet on the said recommendation which is pending before the Competent Authority. The petitioner has also made representation vide Annexure-4 dated 3.2.2012 before the Respondent No. 3, Director, Primary Education, Human Resources Development Department, Government of Jharkhand, Ranchi. In such circumstances, it is prayed that the respondent No. 3 may be directed to take an informed decision in accordance with law in respect of grant of approval of the appointment of the

petitioner in the said school and fixation of pay scale etc.

2. Learned counsel for the respondents submits that if so directed the respondent No. 3 shall take an informed decision in accordance with law after verification of all the relevant service records of the petitioner in respect of said school.

3. In such circumstances, without commenting upon the merit of the claim of the petitioner the writ petition is disposed of by directing the respondent No. 3, Director, Primary Education, Human Resources Development Department, Government of Jharkhand, Ranchi to take an informed decision in accordance with law in respect of grant of approval of appointment of the petitioner in the said R.C. School, Churia, Simdega as also on the question of fixation of pay scale of the petitioner and payment of salary. Let the said exercise be completed within a period of 12 weeks from receipt of copy of the order of this court. Needless to say that consequential benefits arising therefrom would flow in favour of the petitioner, thereafter.