
(2015) 11 JH CK 0034
In the Jharkhand High Court
Case No : W.P.S. No. 2783 of 2014

Lalit Kumar Jha

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 03-11-2015

Acts Referred:

Citation : (2015) 4 AJR 774

Hon'ble Judges : Prashant Kumar, J.

Bench : Single Bench

Advocate : A.K. Das, for the Appellant; A.K. Mehta, JC to G.P. V, for the Respondent

Final Decision : Dismissed

Judgement

Prashant Kumar, J.—This application has been filed for quashing the order dated 30.11.2012, passed by the Registrar, Ranchi University, Ranchi, whereby the representation of the petitioner rejected. It appears that petitioner filed writ application in this court vide W.P. (S) No. 1596/2003, praying therein that a direction be issued to the respondents to reinstate the petitioner and regularise him in the service of University. It is stated that petitioner was initially appointed in the year 1984 as Typist by the Principal of Lal Bahadur Shastri Memorial College, Jamshedpur and while he was working so, the then Principal of the College, namely, B.N. Tudu terminated his services. Thereafter, the University constituted a Committee of three persons and the said Committee after enquiry concluded that the petitioner was appointed by the Principal of the Lal Bahadur Shastri Memorial College, Jamshedpur, subject to the approval of the Ranchi University. Accordingly, the Committee recommended that petitioner should be regularised in the service of University. When, even after recommendation of the Committee, the petitioner was not regularised, he filed aforesaid writ application. It appears that the aforesaid writ application disposed of vide order dated 17.09.2008 with a direction that petitioner shall file representation before the Registrar, Ranchi University, Ranchi, who shall dispose of the same by passing a

reasoned order. Accordingly, by the impugned order, representation of the petitioner had been rejected by the impugned order.

2. From perusal of the impugned order, I find that the Registrar, Ranchi University, Ranchi had considered various documents and reports submitted by different Principals of Lal Bahadur Shastri Memorial College, Jamshedpur and found that the petitioner was never appointed in the said College nor he had received any salary from the College.

3. However, petitioner brought on record, Annexure-1 to show that he had received his salary from the Lal Bahadur Shastri Memorial College, Jamshedpur. Thus, I find that there is dispute as to whether petitioner had been appointed as a Typist in the Lal Bahadur Shastri Memorial College, Jamshedpur or not? The aforesaid dispute is required to be proved by the petitioner by adducing evidence. Thus, the said dispute cannot be decided in the writ jurisdiction of this Court.

4. Under the said circumstance, I am not inclined to entertain this writ application. Accordingly, the same is dismissed. However, I give liberty to the petitioner to file declaratory suit before the competent civil court for redressal of his grievance.