
(2025) 01 JH CK 1716
In the Jharkhand High Court
Case No : Writ Petition (S) No.2244 Of 2022

Pradumna Kumar

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 16-01-2025

Acts Referred:

Citation : (2025) 01 JH CK 1716

Hon'ble Judges : Ananda Sen, J

Bench : Single Bench

Advocate : Manoj Kumar Ram, Amrita Banerjee, Bhawesh Kumar

Final Decision : Dismissed

Judgement

Ananda Sen, J

1. In this writ petition, the petitioner has prayed to quash the Memo No.262 dated 30.09.2021 (Annexure-6), whereby and where under, respondent No.4 had directed respondent No.6, not to take any teaching class from the petitioner and ban him from any departmental work.
2. The petitioner was appointed as an Assistant Teacher in the Upgraded High School, Gorangkocha vide Memo No.927 dated 12.07.2019.
3. It is the allegation against the petitioner that on the basis of fake document, he has entered in service. It is the specific case of the respondents that the petitioner has failed in matriculation, thus, he is not eligible to be appointed.
4. A departmental proceeding was also initiated against the petitioner and in the said departmental proceeding, charges against the petitioner were proved. It was established that without passing the matriculation, he has produced a fake document.
5. The respondents verified the document of the petitioner and though there were some discrepancies in the report sent by the Bihar School Examination

Board, yet finally the Board and also the School have approved the fact that the petitioner has failed in matriculation. The Principal of the School also verified the aforesaid fact.

6. Ultimately, second show cause notice was issued to the petitioner and thereafter the petitioner was dismissed from service after a conclusion of the departmental enquiry.

7. There is no procedural lapse in conducting the departmental proceeding. Since the petitioner had failed in matriculation, he is not an eligible candidate to be appointed as an Assistant Teacher. His appointment is thus, illegal. On that basis the petitioner has been removed from service. I find no illegality in removing the petitioner from service.

8. So far as this writ petition is concerned, I find that the petitioner has not even challenged the order by which the petitioner has been dismissed from service, consequent upon holding a proper departmental enquiry.

9. Be that as it may. From what has been held above, the petitioner is not entitled for any relief.

10. Accordingly, this writ petition is dismissed.