

(2015) 08 JH CK 0005
In the Jharkhand High Court
Case No : W.P. (S) No. 1897 of 2015

Pummy Singh

APPELLANT

Vs

The State of Jharkhand and Others

RESPONDENT

Date of Decision : 18-08-2015

Acts Referred:

Citation : (2015) 3 JLJR 544

Hon'ble Judges : Aparesh Kumar Singh, J.

Bench : Single Bench

Advocate : Sarvesh Kumar Verma and Suresh Pandey, for the Appellant

Final Decision : Dismissed

Judgement

Aparesh Kumar Singh, J.—Heard learned counsel for the parties. Petitioner's name was not shown in the results published on 18th March, 2015 by Respondent-J.A.C. in the recruitment exercise undertaken vide Adv. No. 93/11 for appointment of Trained Graduate Teacher in the Upgraded High School. Petitioner had appeared as appearing candidate of B.Ed. Exam, under the said advertisement in the subject of Hindi and also had obtained B.Ed. Certificate on 22nd August, 2013. The session of B.Ed. was 2005-06. In the results published on 24th October, 2014 which was subsequently withdrawn on the directions of State Government, petitioner's name was shown having Roll No. 20103141 with marks 216 in General Category in the subject of Hindi with remarks pending B.Ed. appearing. It however appears that petitioner could not submit B.Ed. certificate as per the Advertisement issued by Respondent J.A.C. in terms of the conditions incorporated in Clause Ga(ii) of Adv. No. 93/11, the last date to submit such B.Ed. certificate was 25th November, 2011. Petitioner in her representation at Annexure-11 also accepts that she was completely ignorant of such requirement as no such communication had been sent to her. She only came to know about the fact after declaration of the results on 18th March, 2015 that her name is not there. She claims that she is residing at Aasansol and was not aware of such advertisement requiring B.Ed. certificate on a particular date.

It is submitted that petitioner's case should be considered sympathetically as there are vacancies remaining after such recommendation.

2. Learned senior counsel for Respondent-J.A.C. submits that the appearing candidates were entitled to participate in the recruitment exercise under Adv. No. 93/2011, but were required to submit the results of B.Ed. on or before the date notified by Respondent-J.A.C. before publication of final results. It is submitted that this court in the judgment rendered in the case of Santosh Kumar Tiwari & Others vs. State of Jharkhand in W.P.(S) No. 1222 of 2015 dated 22nd April, 2015 had directed the Respondent-J.A.C. to consider the cases of those persons/petitioners if they had submitted their certificates by extended time under Adv. No. 75 of 2014 till 15th November, 2014 and also another advertisement issued thereafter Whereunder the last date was fixed as 25.11.2014. Admittedly, the petitioner could not submit her B.Ed. certificate by the said date and therefore the Respondent-J.A.C. has not included the name of the present petitioner in the result published on 18th March, 2015. The action of the respondent-J.A.C. is therefore in complete conformity with the condition of the advertisement and Rules under which it has been framed. Having considered the aforesaid factual matrix of the case and the legal issues involved, it is apparent that the petitioner despite having participated in the recruitment exercise for appointment as Trained Graduate Teacher in the subject of Hindi could not submit the B.Ed. certificate before the cut off date fixed i.e. on 25th November, 2014 notified by respondent-J.A.C. in terms of provisions of Clause Ga(ii) of advertisement as also the relevant rules applicable to such appointment process. Therefore, petitioner's case rightly could not be included in the final results. No interference can be made in such circumstances in the present writ application to derogate from the norms and standards which have been laid down in the advertisement by the Respondent-J.A.C. which applies uniformly to all participating candidates. Accordingly, the writ petition is dismissed.