
(2002) 02 JH CK 0074

In the Jharkhand High Court

Case No : Writ Petition (S) No. 521 of 2001

Telani Guria and Others

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 15-02-2002

Acts Referred:

Citation : AIR 2002 Jhar 121 : (2002) 50 BLJR 1191

Hon'ble Judges : Tapen Sen, J

Bench : Single Bench

Advocate : Ashok Kumar Jha, for the Appellant; Shamim Akhtar, S.C. - II and Kalyan Roy, for the Respondent

Judgement

Tapen Sen, J.—In this writ, petition, the petitioners, who are students of Class-X of the Project Girls" High School, Rania- Tetari, Khunti (Ranchi), have prayed for issuance of appropriate direction upon the respondents to accept their application forms so that their names are registered for the purpose of enabling them to appear in the Annual Secondary School Examination, 2002, which is scheduled to commence from 1st March, 2002.

2. According to the petitioners, they are eligible and the respondent No, 6 after scrutinising the application forms, had instructed one senior teacher of the school to deposit the forms at the Board Office and accordingly the senior teacher had gone to the office but the Board refused to accept the same. The petitioners have stated that later on, respondent No. 6 had made a complaint before the Board on the basis whereof the Board had refused to accept the forms. In support of the aforesaid contention, the petitioners have relied upon Annexure-3 which is a letter dated 3.7.2001 from which it appears that there was a request made by respondent No. 6 to the Joint Secretary of the Board to the effect that the registration forms coming from Project Girls" High School, Rania-Tetari, Khunti (Ranchi) relating to 12 girls student should not be accepted.

3. A counter-affidavit has been field on behalf of respondent Nos. 2 & 3

(Administrator & Secretary) of the dharkhand School Examination Board, Ranchi wherein they have also annexed a letter of the respondent No. 6 in which a similar request was made to the Board to the effect that the registration forms of 12 girls student should not be accepted and/or in alternative should be rejected as according to her, the students were neither genuine candidates, nor bona fide students.

4. The respondent Nos. 4 & 5 (Regional Deputy Director of Education, Ranchi and District Education Officer, Ranchi) have also filed a counter-affidavit. Their statements made at para 11, 12, 15 & 16 totally and thoroughly demolishes the statement made by the respondent No. 6 in her complaints. Those paragraphs are being re-produced hereinafter :

"That on receipt of the letter No. 1 dated 6.7.2001 from the school in question regarding the objection raised by respondent No. 6 with regard to the acceptance of the requisition form of 12 students, the answering respondent has directed the respondent No. 6 to do the needful so that the students can appear the examination for playing with career of the students vide her letter No. 2467 dated 10.7.2001.

That it is stated in clear cut terms that there is only one Project Girls High School, Rania, in Rania Block which is running in its building at Tetari and the confusion created by respondent No. 6 regarding to school one at Rania and another at Tetari is wrong and for this wrong statement made by respondent No. 6, Departmental Proceeding will be initiated against her after receipt of the explanation of respondent No. 6.

That with regard to the statement made in paras 11 and 12 of the writ application, it is submitted that the respondent No. 6 has made a wrong statement regarding school and she has misled the respondent No. 2 & 3 and for that she be produced in departmental proceeding and appropriate action will be taken against her.

It is again clarified that there is only one Project Girls High School, Rania Block running in building situated at Rania.

That with regard to the Statement made in para 13 of the writ application, it is submitted that on receipt of complaint, respondent No. 6 has already been directed to do the needful and to submit her explanation for making wrong statement before the respondent Nos. 2 & 3."

(Quoted verbatim)

5. In view of what has been stated by the Education authorities in this case, and taking into consideration that sufficient time has been wasted and also, taking into consideration that this matter relates to the future of the school-going children, this Court directs the respondent No. 6 to transmit all the necessary documents to the Board by 19th February. 2002 by special messenger so that it reaches the office of the Board by 2 p.m. on the same date.

6. The Board in its turn is directed to take immediate steps in relation to the 12 candidates and do the needful so that their career are not Jeopardised in future.
7. The writ petition stands disposed off, with the aforesaid observations/directions.