

(2022) 02 JH CK 0025

In the Jharkhand High Court

Case No : Writ Petition (S) No. 2832 Of 2010

Umesh Kumar Tiwari And Others

APPELLANT

Vs

State Of Jharkhand And Others

RESPONDENT

Date of Decision : 16-02-2022

Acts Referred:

Citation : (2022) 02 JH CK 0025

Hon'ble Judges : Anubha Rawat Choudhary, J

Bench : Single Bench

Advocate : Krishna Murari, Rajvardhan, Jayant Franklin

Final Decision : Dismissed

Judgement

Anubha Rawat Choudhary, J

1. Nobody appears on behalf of the petitioners.
2. Learned counsel for the respondent-State Mr. Jayant Franklin Toppo is present.
3. Learned counsel for the respondent No. 2 Mr. Krishna Murari is also present.
4. This writ petition has been filed for the following reliefs:

For issuance of direction upon the respondents to immediately and forthwith pay the honorarium to the petitioners as they have duly been

appointed as Para Teachers (Shiksha Mitra) by the Gram Shiksha Sammittee and immediately their appointment as para teachers they have been

working as para teacher at their respective place of joining very efficiently and to the satisfaction of their superiors, but without any reason

whatsoever the payment of honorarium has not been made to the petitioners although the petitioners are duly been appointed and their appointment

has also been approved by the appropriate authority. The petitioners have

further prayed for issuance of a direction restraining the respondents not to appoint new para teachers as they are intended to appoint para teachers in the schools in which the petitioners are working.â??

5. From the records of this case it appears that the case was taken up on 08.04.2021 wherein the petitioners had prayed for adjournment and by way of last chance, matter was adjourned and it was made clear that no further adjournment shall be granted to either parties. Today, neither the petitioners are appearing nor any prayer has been made for adjournment.

6. Learned counsel for the respondents has submitted that the petitioners have specifically stated that another para teacher namely Bhola Nath Tiwari had prayed for appropriate direction for payment of Honorarium in the writ petition being W.P. (S) No. 4396 of 2008 which was disposed of vide order dated 06.11.2009 and direction was issued to respondent No. 4 of the said case to dispose of the representation of Bholanath Tiwari. It was also mentioned in the present writ petition that no payment was being made to Bhola Nath Tiwari, in spite of order passed by this court. Learned counsel submits that pursuant to the order dated 06.11.2009, passed in W.P. (S) No. 4396 of 2008 in the case of Bhola Nath Tiwari, matter has been taken up by the competent Authority and the claim of Bhola Nath Tiwari has been rejected vide order dated 08.05.2010 which is annexed as Annexure-C to the counter affidavit. Learned counsel submits that considering this aspect of the matter, it appears that the petitioners have also lost interest in the present case and therefore nobody is appearing on behalf of the petitioners. However, since the petitioner is not appearing in the present case, this court is not inclined to go the merit or otherwise of the present case. Accordingly, the present petition is dismissed for non-prosecution.