

(2013) 01 JH CK 0076
In the Jharkhand High Court
Case No : WP (S) No. 6902 of 2005

Umesh Prasad

APPELLANT

Vs

The State of Jharkhand and Others

RESPONDENT

Date of Decision : 28-01-2013

Acts Referred:

Citation : (2013) 2 JLJR 446

Hon'ble Judges : Aparesh Kumar Singh, J

Bench : Single Bench

Advocate : Lakhan Sharma, for the Appellant; Sanjay Piparwall, For the JPSC and Mr. Piyush Chitrash, For the State, for the Respondent

Final Decision : Dismissed

Judgement

Aparesh Kumar Singh, J.—Heard learned counsel for the parties. The petitioner has sought direction upon the respondents to appoint him on the post of Teacher in Primary School in Garhwa district on the basis of the result declared by JPSC-respondent no. 7 where, according to him, he has been placed at serial no. 24 in the panel of Backward Class Category-I candidates, but respondents have not appointed him till date.

2. According to the petitioner, he appeared in the recruitment exercise conducted by JPSC in the year 2002 for appointment of Primary Teacher in different Government Primary Schools in the State of Jharkhand. He is a Science graduate from Ranchi University having Teachers' Training (B.Ed.) Degree from Kesharwani Vidyapeeth, Jabalpur, M.P. His Roll Number was 170507200315 for the district Garhwa and after declaration of the result his name was shown at Sr. No. 24 in Backward Class-I in the Panel, but the respondents-State have sat over the matter till date while others have been granted promotion.

3. Respondent No. 6-District Superintendent of Education, Garhwa has filed an affidavit.

4. Learned counsel for the respondents-State submits that on verification of the

different institutions, the Human Resources Development Department, Government of Jharkhand, Directorate of Primary Education had issued a letter dated 30.12.2013 addressed to all the District Superintendents of Education, Regional Deputy Education Director and Deputy Commissioners enclosing the list of universities, which have been found to be fake as on 1st May, 2000. The name of Kesharwani Vidyapeeth, Jabalpur (M.P.) occurs at serial no. 16 in the said list. Since the petitioner has claimed appointment on the basis of having B.Ed. Degree from the said university, no appointment can be granted to him as the appointment was itself subject to verification of the certificates produced by the concerned successful candidates before the competent authorities in the respective districts.

5. I have heard learned counsel for the parties and gone through the relevant materials on record. The claim of the petitioner does not seem to be tenable in law as well as on the facts as according to the Rules under which the examinations were held and the advertisement in question by which the candidates were declared successful by the Jharkhand Public Service Commission they were to subject themselves to verification of their certificates before appointment letter can be issued to them. The university in question i.e. Kesharwani Vidyapeeth, Jabalpur in the State of Madhya Pradesh has been found to be fake University by the Human Resources Development Department, Government of Jharkhand among other such universities, therefore, the petitioner has not been granted appointment. In that view of the matter, no relief can be granted to the petitioner. Accordingly, the writ petition is dismissed.