

Jharkhand High Court

Anirudha Mandal vs State Of Bihar And Ors. on 19 December, 2003

Equivalent citations: 2004 (2) JCR 482 Jhr

Author: A Sahay

Bench: A Sahay

ORDER Amareshwar Sahay, J.

1. The learned counsellor the petitioner is permitted to add the Director, Primary Education, Government of Jharkhand as party respondent in this case.
2. Heard Mr. V. Shivnath, learned counsel for the petitioner and nobody appeared on behalf of respondent to oppose this application. The prayer of the petitioner is for direction to the respondents to grant for approval to the service of the petitioner with effect from 1.5.1997 and also for direction to release all the arrears and current salary which are not been paid to him.
3. It is stated by Mr. V. Shivnath the petitioner was appointed on 25.4.1997 as Assistant Teacher in St. Teress's Girls Middle School, Dudhani, Dumka vide Annexure-3 to the writ application and he joined the post of Assistant Teacher on 1.5.1997 and he is working continuously since then. It is further submitted that vide Annexure-4 the District Superintendent of Education, Dumka issued an office order dated 5.7.1997 that the payment of salary would be made to the petitioner after his service is approved and the salary is fixed by the Director, Primary Education, Bihar. It is further stated that with regard to the teachers training all testimonials were verified but still neither the Director, Primary Education has approved the appointment nor the petitioner is being paid the salary, though similarly situated teacher namely Sushree has also passed, is being paid her regular salary but the petitioner Agnayash Abha Kujur who was also appointed on 1.7.1998 and has passed teachers training examination from National Correspondence Institute, Kanpur from which the petitioner is being deprived for the same.
4. Neither there is any counter affidavit nor any body appears on behalf of the State to oppose this application.
5. In that view of the matter, this application is disposed of with a direction to the petitioner to file fresh representation before the Director, Primary Education, Government of Jharkhand stating in detail about his grievance within the period of four weeks from today. If such a representation is filed by the petitioner, the Director, Primary Education, Government of Jharkhand shall pass an appropriate order regarding approval of the service of the petitioner and also for payment of salary considering the fact that the petitioner is working as Assistant Teacher in the school in question since May, 1997 and also considering the fact that similarly situated teacher Agnayash Abha Kujur is being paid her salary, within the period of eight weeks from the date of filing of such representation in accordance with law.

With the above observation/direction this writ petition is disposed of.