

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P. (S) No.7384 of 2019

Dr. Surjeet Singh, M.Sc. Math (B.Ed., Ph.d.), aged about 55 years, son of
Late Hari Singh, Resident of Lower Kusai, Kumhar Toli, Doranda,
Ranchi-2, P.O. and P.S. Doranda, District Ranchi (Jharkhand)

.... Petitioner

Versus

1. The State of Jharkhand through the Secretary, Department of School Education and Literacy Department (Secondary Education Directorate), M.D.I. Building, Near Project Building, Dhurwa, Ranchi-4, P.O. and P.S. Dhurwa, District Ranchi (Jharkhand)
2. The Director, Department of School Education and Literacy Department (Secondary Education Directorate), M.D.I. Building, Near Project Building, Dhurwa, Ranchi-4, P.O. and P.S. Dhurwa, District Ranchi (Jharkhand)
3. The District Education Officer, Ranchi, Campus of the Department of Education, Ranchi, P.O. Court Compound, Ranchi-1, P.S. Kotwali, District Ranchi (Jharkhand)

.... Respondents

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Mr. Shree Krishna Pandey, Advocate

For the Respondents : Mr. P.C. Roy, S.C. (L&C)-I

04/25.06.2020 Heard Mr. Shree Krishna Pandey, learned counsel for the
petitioner and Mr. P.C. Roy, S.C. (L&C)-I, learned counsel for
respondents.

This writ petition has been heard through Video Conferencing in view of the guidelines of the High Court taking into account the situation arising due to COVID-19 pandemic. None of the parties have complained about any technical snag of audio-video and with their consent this matter has been heard.

The petitioner has preferred this writ petition for direction upon the respondents to pay due salary with all admissible allowances of three years from 03.01.2017 to December, 2019.

Mr. Shree Krishna Pandey, learned counsel for the petitioner submits that the petitioner was working as Headmaster of Government +2 High School and the payment in view of the prayer is required to be paid. He submits that the petitioner is M.Sc. Math (B.Ed., Ph.d.), with 22 years teaching experience in a High School and is eligible in every

aspect. He appeared and attended written test of counselling for the post of Headmaster of Government +2 High School of Jharkhand and was declared successful. The name of petitioner is at serial no.9 of merit list. He submits that the petitioner earlier moved this Court in W.P.(S) No.7165 of 2012 which was decided in favour of the petitioner and by way of that order, the petitioner was appointed as Headmaster in Rajkiyakrit Government +2 High School, Tamad, Ranchi vide letter dated 26.12.2016 on probation of two years. On the said post, he joined on 03.01.2017. He submits that the petitioner is direct recruit Headmaster, who has been duly appointed but in spite of that salary for the period 03.01.2017 to December, 2019 has not been paid. He further submits that he has already filed representation for payment of salary but the same has not been considered and no positive order has been passed as yet.

Mr. P.C. Roy, learned counsel for respondent submits that if the representation is there, that can be considered by the appropriate authority and they will pass appropriate order.

Accordingly, the petitioner is directed to move before the respondent nos.2 and 3 and file fresh representation claiming the prayer made herein along with all credentials within a period of four weeks from today. If such representation is filed before the respondent nos.2 and 3 within the aforesaid period, they will consider the case of the petitioner in accordance with Rule, Regulation and Guideline and will pass appropriate reasoned order within a period of eight weeks thereafter. It goes without saying that payment in view of the prayer made in the writ petition if required to be paid, the same shall be released in favour of petitioner within a period of six weeks thereafter.

In view of above observations and directions, this writ petition stands disposed of.

(Sanjay Kumar Dwivedi, J.)