

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**W.P.(S) No. 3921 of 2012**

Parashu Ram Mochi ..... Petitioner

**Versus**

The State of Jharkhand & Ors. .... Respondents

**CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN**

For the Petitioner : Mr. A.K.Sahani, Advocate

For the Respondent : Mr. Mukul Singh, Advocate

**09/Dated: 10<sup>th</sup> September, 2021**

Heard through V.C.

**2.** Mr. A.K.Sahani, learned counsel for the petitioner draws attention of this Court towards Annexure-6 which is the impugned order, whereby the service of the petitioner has been terminated on 03.01.2012. He further draws attention of this Court towards Para-22 of the writ application, wherein he has specifically stated that the petitioner was not served with copy of the alleged complaint nor any enquiry was held in order to ascertain the correctness of such allegation.

**3.** This para 22 have been replied at Para-19 of the counter-affidavit filed by the respondent No.4 which is quoted herein below:-

*“19. That with regard to the statements made in paragraph-22 of the writ application under reply, it is most humbly stated and submitted that on perusal of Annexure-B of this counter-affidavit, where the petitioner has received the letter with proper acknowledgement whereas in this paragraphs, the petitioner denied that he was not served the letter shows that the petitioner tried his best to suppress the recorded facts in his writ petition and on this ground, this writ petition is not maintainable.”*

**4.** Learned counsel for the respondent-State wants to refer Annexure-A which is completely illegible and this way

the counter affidavit has been filed on behalf of the respondent-State.

**5.** By going through Para-19 of the counter-affidavit filed on behalf of the respondent No.4 it appears that they are referring Annexure-B to the counter-affidavit and submits that the petitioner has duly acknowledged this letter. By perusing Annexure-B it appears that it is the termination order dated 06.06.2009 which is much prior to the present impugned order of 2012. Thus, it is clear that this paragraph has not been replied categorically and by taking recourse of the earlier termination order the respondent wants to mislead this Court.

**6.** In view of the aforesaid facts, the District Superintendent of Education-cum-District Programme Officer, Garhwa is directed to address this Court on the next date of hearing through virtual mode.

**7.** Learned counsel for the Respondent will forward the link to the concerned officer.

**8.** Let a copy of this order be sent to the District Superintendent of Education-cum-District Programme Officer, Garhwa.

**9.** Put up this case on 01.10.2021.

**(Deepak Roshan, J.)**