

IN THE HIGH COURT OF JHARKHAND AT RANCHI
WP(S) No. 4918 of 2010

Ramanand Jha	...	...	Petitioner
-Versus-			
The State of Jharkhand and ors.	...	...	Respondents

CORAM : HON'BLE MR. JUSTICE APARESH KUMAR SINGH

For the Petitioner	:Mr. Rajiv Ranjan
For the Respondents	:M/s Sohail Anwar, Sr.Advocate & M. Singh

4- 17.07.2014 Heard learned counsel for the petitioner and the respondents.

I.A.No.3618 of 2014 has been preferred in the instant writ petition with a plea to quash a notice of retirement. The petitioner has sought to challenge the office order No.21/2014 under which the University has held that the retirement age of the demonstrator/re-designated demonstrator will be 60 years w.e.f. 18.11.2011 in view of the Jharkhand State Universities (Amendment) Act published in the Jharkhand Gazette dated 18.11.2011, whereunder the word “demonstrator” has been deleted from the definition of the word “teacher”.

The petitioner has also sought to challenge the letter dated 9.7.2011 issued in furtherance of the said office order, whereunder he has been retired w.e.f. 9.7.2014.

The original writ petition was filed with a prayer to quash the Notification dated 23.2.2010 of the University under which the petitioner, who was employed as a demonstrator, was supposed to retire on 31.12.2010 on attaining 60 years of age.

Learned counsel for the petitioner submits that by the interim order dated 22.11.2010 the petitioner was allowed to function and to be paid salary in view of the interim order passed in WP(S) No.1100/2010 on the grounds that the demonstrator was falling under the definition “teacher” under Section 2(v) of the Jharkhand State Universities Act and the retirement age of the teachers was 62 years and not 60 years. Therefore, the proposed amendments are sought to be incorporated in the main writ petition as the petitioner has been retired by the impugned notice w.e.f. 9.7.2014.

2.

Counsel for the University and the State seek time to file their response to the main writ petition as also the instant I.A.

Let their response be filed within three weeks.

Put up this case thereafter in the week commencing from 11.8.2014.

(Aparesh Kumar Singh, J.)

Pandey