IN THE HIGH COURT OF JHARKHAND AT RANCHI
C.M.P. No. 861 of 2026

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1. Antodaya Adivasi Ucch Vidyalaya Deogana, P.O.-Deogana, P.S.-Meral, District-Garhwa through its Present Head Master Ramesh Chandravanshi, aged about 30 years, Son of Baijnath Chandrvanshi, Resident of Ward No. 11, Gram Hasandag, P.O-Hasandag, P.S.-Meral, District-Garhwa, Jharkhand-822114.
2. Gopichand Choudhary, aged about 66 years, Son of Late Jatan Choudhary, Resident of village-Terke, P.O. Ataula, P.S. Meral District-Garhwa, Posted as Assistant Teacher Antodaya Adivasi Ucch Vidyalaya Deogana, P.O.-Deogana, P.S.-Meral, District-Garhwa, Jharkhand.

.... **Petitioner(s)**

-VERSUS-

1. The State of Jharkhand.
2. The Principal Secretary, Department of School Education & Literacy, Govt of Jharkhand, having its office at Project Building, Dhurwa, P.O. & P.S. Dhurwa, Ranchi, Jharkhand.
3. The Director, Secondary Education, Department of School Education & Literacy, Govt. of Jharkhand, having its office at Project Building, Dhurwa, P.O. & P.S.-Dhurwa, Ranchi, Jharkhand.
4. The High-Level Committee represented through its Chairman Cum-Joint Secretary, Department of School Education & Literacy, Govt. of Jharkhand, having its office at Project Building, Dhurwa, P.O. & P.S.-Dhurwa, Ranchi, Jharkhand.
5. The Deputy Commissioner, Garhwa, having its office at Collectorate Building, Garhwa, P.O. & P.S.-Garhwa, District-Garhwa, Jharkhand.
6. The Jharkhand Academic Council, having its office at Gyandeep Campus, Bargawan, Namkum, P.O. & P.S. Namkum, District-Ranchi, Jharkhand.

.....Opposite Party (s)

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

For the Petitioner(s) : Mr. Arpan Mishra, Adv
Mr. Amritansh Vats, Adv
Mr. Arpan Manjash Ekka, Adv

For the Opposite Party (s) : Mr. Amit Kumar, S.C.(M)II
Mrs. Richa Sanchita, Adv

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2/02.11.2026

1. This application has been preferred by the petitioners in view of the fact that the writ petition being W.P.(S) No. 2604 of 2018 was disposed of by remitting the case to the Director (Secondary Education) -Respondent No.3, to take into consideration the averments made in the supplementary affidavit for *grant-in-aid* in terms of Jharkhand State Financial Institution (Grants) Act, 2004 and Jharkhand State Unaided Educational Institution (Grants) Rule, 2004. However, learned counsel for the petitioners submits that the respondent should also consider Section 3(3) of Bihar Non-Government Secondary School (Taking Over of Control and Management Act), 1981.

2. There is no objection from the respondents.

3. Accordingly, para 9 of the order dated 02.04.2026 in W.P.(S) No. 2604 of 2018 is hereby modified and shall be read henceforth as under:-

> **9.** *In view of the aforesaid facts and the judgments rendered by the Hon'ble Supreme Court in the cases of Basudev Dutta (supra), Mohinder Singh Gill (supra) and East Coast Railway (supra), the order contained in Memo No. 2156 dated 30.07.2018 issued by the Director, (Secondary Education), Department of School Education and Literacy, Government of Jharkhand, is hereby, set-aside.*
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> *The matter is remitted to the Director (Secondary Education) Department of School Education and Literacy, Government of Jharkhand-Respondent No.3, to take into consideration the statements made in supplementary affidavit and also the Letter dated 14.08.2023 as contained in Letter No. 294 issued by Block Education Officer, wherein the necessary compliance has been shown for grant-in-aid in terms of Jharkhand State Financial Educational Institutions (Grants) Act, 2004 and Jharkhand State Unaided Educational Institution (Grant) Rule, 2004;* ***and*** **Section 3**

(3) *of* ***Bihar Non-Government Secondary School (Taking Over Control and Management Act),1981,*** and thereafter, pass necessary orders within a period of 12 weeks from the date of receipt/production of copy of the order**.**

4. With the aforesaid modification in the order dated 02.04.2026 in W.P.(S) No. 2604 of 2018, the instant application stands allowed.

5. Let this order be treated as part of the main order dated 02.04.2026.

(Deepak Roshan, J)

02.11.2026

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Uploaded
5.11.2026