

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

**W.P. (S) No. 1021 of 2020**

1. Dharo Oraon.
2. Arun Kumar Sahu.
3. Gautam Prasad Singh
4. Aashish Ranjan.
5. Pradip Bada.
6. Vishnu Deo Shah.
7. Arbind Kumar Singh
8. Ajay Kumar Razak.
9. Santosh Kumar Ram.

**... .Petitioner**

**--VERSUS--**

1. State of Jharkhand through the Chief Secretary, Govt of Jharkhand Project Building Dhurwa P.O. Dhurwa P.S. Jagarnathpur Dist. – Ranchi.
2. Building Construction Department through its Secretary, Govt of Jharkhand Project Building Dhurwa P.O. Dhurwa P.S. Jagarnathpur Dist. - Ranchi
3. Department of Health Medical Education & Family Welfare, through its Secretary Govt of Jharkhand Project Building Dhurwa P.O. Dhurwa P.S. Jagarnathpur Dist. - Ranchi
4. Department of Planning Cum Finance, through its Secretary Govt of Jharkhand Project Building Dhurwa P.O. Dhurwa P.S. Jagarnathpur Dist. - Ranchi
5. The Deputy Secretary Building Construction Department, Govt of Jharkhand Project Building Dhurwa P.O. Dhurwa P.S. Jagarnathpur Dist. - Ranchi
6. Engineer In Chief Building Construction Department, Govt of Jharkhand Project Building Dhurwa P.O. Dhurwa P.S. Jagarnathpur Dist. - Ranchi

**... ..Respondents**

**with**

**WP(S) No. 2225 of 2017**

**Mary Premi Loudar**

**... .Petitioner**

**--VERSUS--**

1. The State of Jharkhand.
2. The Commissioner, West Singhbhum P.O. & P.S. Chaibasa Dist. - West Singhbhum.
3. The Chief Civil Surgeon cum Chief Medical Officer, P.O. & P.S. Chaibasa Dist. - West Singhbhum.

**... ..Respondents**

**with**

**WP(S) No. 7536 of 2017**

**Kumar Nand Kishore Singh**

**... .Petitioner**

**--VERSUS--**

1. The State of Jharkhand
2. Secretary , Deptt of Rural Development Govt of Jharkhand Project Building P.O. Dhurwa P.S. Jagarnathpur Dist. - Ranchi
3. Deputy Secretary , Deptt of Rural Development Govt of Jharkhand Project Building P.O. Dhurwa P.S. Jagarnathpur Dist. - Ranchi
4. Engineer In Chief , Public Works Division Project Building P.O. Dhurwa P.S. Jagarnathpur Dist. - Ranchi

5. Superintending Engineer, Rural Engineering Organization Works Circle Hazaribagh P.O. & P.S. & Dist. - Hazaribagh
6. Executive Engineer , Rural Engineering Organization Works Circle Hazaribagh P.O. & P.S. & Dist. - Hazaribagh
7. Assistant Engineer, Rural Engineering Division Works Sub Division Ramgarh P.O. & P.S. & Dist. - Ramgarh

**... ..Respondents**

**with**

**WP(S) No. 1329 of 2018**

1. Prakash Prasad Mehta.
2. Ainul Ansari.
3. Mahboob Hussain.

**... . .Petitioners**

--VERSUS--

1. The State of Jharkhand through its Chief Secretary, Project Building P.O. P.S. Dhurwa Dist. – Ranchi.
2. Principal Secretary, Revenue & Land Reforms Department, Govt of Jharkhand, Nepal House P.O. P.S. Doranda Dist. – Ranchi
3. Director, Land Records & Survey Department Govt of Jharkhand, Nepal House P.O. P.S. Doranda Dist. – Ranchi
4. Deputy Commissioner, Hazaribagh P.O. P.S. Hazaribagh Dist. - Hazaribagh
5. Settlement Officer, Hazaribagh P.O. P.S. Hazaribagh Dist. – Hazaribagh
6. Charge Officer, Settlement Office, Hazaribagh P.O. P.S. Hazaribagh Dist. – Hazaribagh.

**... ..Respondents**

**with**

**WP(S) No. 4048 of 2018**

1. Anirudh Mandal.
2. Md Ekram
3. Jageshwar Tanti

**... . .Petitioners**

--VERSUS--

1. The State of Jharkhand through its Chief Secretary, Project Bhawan P.O. P.S. Dhurwa Dist. – Ranchi
2. The Principal Secretary, Rural Development Department, Govt. of Jharkhand, Ranchi
3. The Secretary, Village Development Department, Govt. of Jharkhand, Office at Project Bhawan Dhurwa P.O. P.S. Dhurwa Dist. – Ranchi
4. The Superintending Engineer, Rural Development Department, (Village Work Department) Work Division P.O. P.S. Dumka, Dist. - Dumka
5. The Superintending Engineer, Rural Development Department, Village Work Division P.O. P.S. Godda Dist. – Godda.

**... ..Respondents**

**with**

**WP(S) No. 6261 of 2018**

Kanhaiya Lal

**... . .Petitioner**

--VERSUS--

1. The State of Jharkhand
2. The Divisional Commissioner, Singhbhum (Kolhan) Division, Chaibasa.
3. The Deputy Commissioner, Saraikella Kharsawan.

4. The Deputy Collector Establishment, Saraikella Kharsawan.
5. The Sub Divisional Officer, Chandil, Saraikella Kharsawan

**... ..Respondents**

**with  
WP(S) No. 6269 of 2018**

1. Kapil Deo Singh Yadav
2. Raj Deo Roy

**... . .Petitioners**

--VERSUS--

1. The State of Jharkhand
2. The Secretary, Rural Works Department, Govt. of Jharkhand Ranchi
3. The Under Secretary, Rural Works Department, Govt. of Jharkhand Ranchi
4. The Superintending Engineer, Rural Works Department, Daltonganj P.O. P.S. Daltonganj Dist. - Palamau
5. The Executive Engineer Rural Works Department, Latehar P.O.& P.S. & Dist. - Latehar
6. The Assistant Engineer, Rural Works Department, Latehar P.O. P.S. & Dist. - Latehar

**... ..Respondents**

**with  
WP(S) No. 6282 of 2018**

Patit Pawan Gorai

**... . .Petitioner**

--VERSUS--

1. The State of Jharkhand
2. The Principal Secretary, Department of Water Resources, Govt. of Jharkhand, Nepal House P.O. P.S. Doranda Dist. – Ranchi
3. The Joint Secretary Department of Water Resources Govt of Jharkhand, Nepal House P.O. P.S. Doranda Dist. - Ranchi
4. The Deputy Collector, Revenue Division, Department of Water Resources, Govt. of Jharkhand, Nepal House P.O. P.S. Doranda Dist. - Ranchi

**... ..Respondents**

**with  
WP(S) No. 6405 of 2018**

Sachidanand Pandey

**... . .Petitioner**

--VERSUS--

1. The State of Jharkhand, through the Secretary Forest Deptt, Office at Doranda P.O. & P.S. Doranda Dist. - Ranchi
2. Principal Chief Conservator of Forest, Jharkhand, Ranchi, Office at Doranda P.O. & P.S. Doranda Dist. - Ranchi
3. Regional Conservator of Forest Daltonganj, P.O. & P.S. Daltonganj Dist. - Palamau
4. Conservator of Forest, Territorial Circle Garhwa, P.O. & P.S. & Dist. - Garhwa

**... ..Respondents**

**with  
WP(S) No. 6619 of 2018**

Durga Charan Mahto

**... . .Petitioner**

--VERSUS--

1. The State of Jharkhand
2. Principal Secretary, Higher Technical Education & Skill Development Deptt

- Govt. of Jharkhand at Nepal House P.O. & P.S. Doranda Dist. - Ranchi
3. Technical Education Directorate through its Director (Technical Education), Higher Technical Education & Skill Development Deptt., Govt. of Jharkhand, at Nepal House P.O. & P.S. Doranda Dist. - Ranchi
  4. Under Secretary, Higher Technical Education & Skill Development Deptt. (Technical Education Directorate), Govt. of Jharkhand, P.O. & P.S. Doranda Dist. - Ranchi
  5. Deputy Commissioner, Dhanbad, P.O. & P.S. & Dist. - Dhanbad
  6. Bihar Institute of Technology, Sindri, P.O. Sindri Institute P.S. Sindri Dist. - Dhanbad Jharkhand
  7. Director, Bihar Institute of Technology (BIT), P.O. Sindri P.S. Sindri Dist. - Dhanbad

**... .Respondents**

**with  
WP(S) No. 549 of 2019**

1. Murat Ram, Clerk Koderma Mica Unit, Jharkhand State Mineral Development Corporation Ltd., Koderma
2. Dilip Kumar Soni Alias Dileep Kumar, Guard Dhorakola Division, Koderma Mica Unit, Jharkhand State Mineral Development Corporation Ltd., Koderma
3. Sukhdeo Yadav, Peon, Koderma Mica Unit Jharkhand State Mineral Development Corporation Ltd., Koderma
4. Rabindra Prasad, Guard (Durban), Koderma Mica Unit Jharkhand State Mineral Development Corporation Ltd., at Present Deputed At Sand Project JSMDC Ltd, Khunti
5. Laldeo Ram, Unskilled Worker / Guard, Suggi Mica Mines, Koderma Mica Unit Jharkhand State Mineral Development Corporation Ltd., Koderma.
6. Mr Baleshwar Sharma, Blaster Cum Incharge of Guards, Pesra Mica Mines, Koderma Mica Unit Jharkhand State Mineral Development Corporation Ltd., Koderma.
7. Rameshwar Pandit, Guard, Pesra U C Mines, Koderma Mica Unit Jharkhand State Mineral Development Corporation Ltd., Koderma.

**... .Petitioner**

**--VERSUS--**

1. The State of Jharkhand through the Principal Secretary, Govt of Jharkhand, Deptt of Mines & Geology, Nepal House P.O. & P.S. Doranda Town & Dist. - Ranchi
2. Jharkhand State Mineral Development Corporation Ltd, Khanij Nigam Bhawan Nepal House Area P.O. & P.S. Doranda Town & Dist. - Ranchi Jharkhand through its Managing Director.
3. The Managing Director, Jharkhand State Mineral Development Corporation Ltd, Khanij Nigam Bhawan Nepal House Area P.O. & P.S. Doranda Town & Dist. - Ranchi
4. The Mines Agent, Koderma Mica Unit, Jharkhand State Mineral Development Corporation Ltd, Sahana Road Koderma R/O Near JSMDC Office Sahana Road At P.O. & P.S. & Dist. - Koderma

**... .Respondents**

**with  
WP(S) No. 1088 of 2019**

Binod Kumar.

... . . Petitioner

--VERSUS--

1. The State of Jharkhand
2. The Secretary, Dept of Personnel, Administrative Reforms & Rajbhasa, Govt of Jharkhand Project Building P.O. & P.S. Dhurwa Dist. - Ranchi
3. The Deputy Commissioner, Palamau, at Daltonganj P.S. Sadar Dist. - Palamau
4. The Deputy Collector Establishment Palamau, Office of Deputy Commissioner at P.O. & P.S. Daltonganj P.S. Sadar Dist. - Palamau
5. The Circle Officer, Office of the Circle Officer Chianpur P.O. & P.S. Chainpur Dist. - Palamau

... . . Respondents

**with**

**WP(S) No. 1359 of 2019**

1. Shekhar Chandra Jha.
2. Arvind Kumar Jha.
3. Ajay Kumar Jha.
4. Jawahar Tanti.

... . . Petitioners

--VERSUS--

1. The State of Jharkhand
2. The Principal Secretary, Rural Works Dept., Govt. of Jharkhand Project Building P.O. & P.S. Dhurwa Dist. - Ranchi
3. The Engineer-in-Chief, Rural Works Dept., Govt. of Jharkhand Project Building P.O. & P.S. Dhurwa Dist. - Ranchi
4. The Superintending Engineer, Rural Works Dept., Dumka P.O. & P.S. Dumka Dist. - Dumka
5. The Executive Engineer, Rural Works Dept., Works Division Godda P.O. & P.S. Godda Dist. - Godda

... . . Respondents

**with**

**WP(S) No. 1666 of 2019**

1. Mahendra Oraon
2. Phool Kumari

... . . Petitioners

--VERSUS--

1. Birsa Agricultural University through its Vice Chancellor, Kanke P.O. & P.S. Kanke Dist. – Ranchi
2. The Registrar, Birsa Agricultural University Kanke P.O. P.S. Kanke Dist. - Ranchi
3. The Director (Administration), Birsa Agricultural University, Kanke P.O. P.S. Kanke Dist. - Ranchi
4. Director (Extension Education), Birsa Agricultural University, Kanke P.O. P.S. Kanke Dist. - Ranchi

... . . Respondents

**with**

**WP(S) No. 3122 of 2019**

Abdul Kalam.

... . . Petitioner

--VERSUS--

1. The State of Jharkhand
2. The Secretary, Department of Health, Medical Education & Family Welfare, Govt of Jharkhand Nepal House P.O. P.S. Doranda Dist. - Ranchi
3. The Director, RINPAS, P.O. P.S. Kanke Dist. - Ranchi

**... ..Respondents**

**with**

**WP(S) No. 3526 of 2019**

Ashok Kumar Pandit

**... . .Petitioner**

--VERSUS--

1. The State of Jharkhand
2. Deputy Commissioner, Garhwa, P.O. & P.S. & Dist. – Garhwa
3. Deputy Collector Establishment, Garhwa, P.O. & P.S. & Dist. - Garhwa
4. Executive Engineer NREP Garhwa, P.O. & P.S. & Dist. - Garhwa
5. B D O Nagar Untari, P.O. & P.S. Nagar Untari Dist. - Garhwa

**... ..Respondents**

**with**

**WP(S) No. 3965 of 2019**

Vibha Lal

**... . .Petitioner**

--VERSUS--

1. The State of Jharkhand
2. The Chief Secretary, Govt of Jharkhand, Office at Project Bhawan Dhurwa at Ranchi P.O. & P.S. Dhurwa Dist. - Ranchi
3. The Principal Secretary, Home Department, Govt of Jharkhand, Office at Project Bhawan Dhurwa at Ranchi P.O. & P.S. Dhurwa Dist. – Ranchi
4. The Principal Secretary Personnel Department, Govt of Jharkhand, Office at Project Bhawan Dhurwa at Ranchi P.O. & P.S. Dhurwa Dist. - Ranchi
5. The Principal Secretary, Finance Department, Govt of Jharkhand, Office at Project Bhawan Dhurwa at Ranchi P.O. & P.S. Dhurwa Dist. - Ranchi
6. The Chairman Cum Managing Director, Jharkhand Police Housing Corporation Ltd, Line Tank Road, Old Police Line Ranchi P.O. G P O P.S. Kotwali Dist. - Ranchi
7. The Chief Engineer, Jharkhand Police Housing Corporation Ltd, Line Tank Road Old Police Line Ranchi P.O. G P O P.S. Kotwali Dist. - Ranchi
8. The Managing (Personal), Jharkhand Police Housing Corporation Ltd, Line Tank Road Old Police Line Ranchi P.O. G P O P.S. Kotwali Dist. - Ranchi

**... ..Respondents**

**with**

**WP(S) No. 4476 of 2019**

1. Naru Mandal
2. Gopal Mahto

**... . .Petitioners**

--VERSUS--

1. Union of India through its Secretary Ministry of Human Resources Development Deptt, Govt of India Sastri Bhawan P.O. & P.S. New Delhi.
2. The Director, Indian Institute of Technology, (Indian School of Mines), Dhanbad, P.O. & P.S. & Dist. – Dhanbad.

**... ..Respondents**

**with**

**WP(S) No. 4784 of 2019**

Subhash Mandal

... . . Petitioner

--VERSUS--

1. The State of Jharkhand
2. The Principal Secretary, Govt. of Jharkhand, Office at Project Building Dhurwa P.O. & P.S. Dhurwa Dist. - Ranchi
3. The Deputy Secretary, Department of Home, Office at Project Building Dhurwa P.O. & P.S. Dhurwa Dist. - Ranchi
4. The Director of Prosecution, Office at Project Building Dhurwa P.O. & P.S. Dhurwa Dist. - Ranchi
5. The Deputy Commissioner, Jamtara, P.O. & P.S. & Dist. – Jamtara
6. The Deputy Collector Establishment, Jamtara, P.O. & P.S. & Dist. - Jamtara
7. The Superintendent of Labour Jamtara, P.O. & P.S. & Dist. - Jamtara
8. The Public Prosecutor, Civil Court, Jamtara, P.O. & P.S. & Dist. - Jamtara

... . . Respondents

with

**WP(S) No. 4852 of 2019**

Prakash Mahto

... . . Petitioner

--VERSUS--

1. The State of Jharkhand
2. Secretary, Urban Development Department, Govt of Jharkhand Project Building P.O. & P.S. Dhurwa Dist. - Ranchi
3. Municipal Commissioner Ranchi, Municipal Corporation Nagar Nigam Bhawan, Kutchery Road, P.O. G.P.O. P.S. Kotwali Dist. - Ranchi
4. Deputy Municipal Commissioner Ranchi, Municipal Corporation Nagar Nigam Bhawan Kutchery Road P.O. G.P.O. P.S. Kotwali Dist. - Ranchi

... . . Respondents

with

**WP(S) No. 4942 of 2019**

Anand Kumar Yadav.

... . . Petitioner

--VERSUS--

1. State of Jharkhand
2. Chief Engineer Cum Special Secretary, Drinking Water & Sanitation Department, Dumka, P.O. P.S. & Dist. - Dumka
3. Superintending Engineer, Drinking Water & Sanitation Department, Dumka, P.O. P.S. & Dist. - Dumka
4. Executive Engineer, Drinking Water & Sanitation Department, Dumka, P.O. P.S. & Dist. - Dumka

... . . Respondents

with

**WP(S) No. 5043 of 2019**

Mina Devi.

... . . Petitioner

--VERSUS--

1. State of Jharkhand through Chief Engineer Cum Special Secretary Drinking Water & Sanitation Deptt, Dumka P.O. & P.S. & Dist. – Dumka
2. Superintending Engineer, Drinking Water & Sanitation Department, Dumka P.O. & P.S. & Dist. - Dumka

3. Executive Engineer, Drinking Water & Sanitation Department, Dumka P.O. & P.S. & Dist. - Dumka

**... ..Respondents**

**with**

**WP(S) No. 5461 of 2019**

Sulekha Singh

**... . .Petitioner**

--VERSUS--

1. State of Jharkhand through Chief Engineer Cum Special Secretary, Drinking Water & Sanitation Deptt, Dumka P.O. & P.S. & Dist. - Dumka
2. Superintending Engineer Drinking Water & Sanitation Department, Dumka P.O. & P.S. & Dist. - Dumka
3. Executive Engineer, Drinking Water & Sanitation Department, Dumka P.O. & P.S. & Dist. - Dumka

**... ..Respondents**

**with**

**WP(S) No. 6304 of 2019**

1. Manoj Kumar Mahto
2. Shamim Akhtar
3. Gandhi Tana Bhagat
4. Jainul Ansari
5. Rishi Raj Jaiswal
6. Ramesh Beck
7. Raman Kumar
8. Baleshwar Mahto
9. Rama Shankar Yadav
10. Anju Anastacia Linda
11. Pramod Kumar Oraon
12. Salit Munda
13. Saroj Lakra
14. Neelam Kachhap
15. Pratima Kumari
16. Sudha Kumari
17. Dinesh Oraon
18. Saroj Kusma
19. Ritu Toppo
20. Shahzadi Begum
21. Poonam Kumari Singh
22. Master Umesh Kumar
23. Rupesh Kumar Singh
24. Ram Prasad Bhagat
25. Basanti Kumari

**... . .Petitioners**

--VERSUS--

1. The State of Jharkhand
2. The Principal Secretary, Rural Development Department, Govt. of Jharkhand, Project Building P.O. Dhurwa P.S. Jaganathpur Dist. – Ranchi
3. The Principal Secretary, Personnel Administrative Reforms & Rajbhasha Department, Govt. of Jharkhand Project Building P.O. Dhurwa P.S. Jaganathpur Dist. - Ranchi

4. The Secretary, Department of Planning Cum Finance, Govt. of Jharkhand Project Building P.O. Dhurwa P.S. Jaganathpur Dist. - Ranchi
5. The Deputy Development Commissioner, District Rural Development Authority, Ranchi, P.O. G.P.O. Ranchi P.S. Kotwali Dist. - Ranchi
6. The Deputy Commissioner, Ranchi, P.O. G.P.O. Ranchi P.S. Kotwali Dist. - Ranchi
7. The District Establishment Deputy Collector, Ranchi, P.O. G.P.O. Ranchi P.S. Kotwali Dist. - Ranchi
8. The Secretary, Department of Rural Development, Govt. of India, Krishi Bhawan Rafi Ahmad Kidwai Marg Rajpath Area Central Secretariat P.O. Lodhi Road P.S. Rajpath New Delhi

**... ..Respondents**

**with**

**WP(S) No. 1413 of 2020**

1. Shailesh Kumar
2. Krishna Kumar
3. Arun Kumar Singh

**..... Petitioners**

**--VERSUS--**

1. The State of Jharkhand through Secretary Building Construction Department, Office at Project Bhawan Dhurwa P.O. Dhurwa P.S. Jagannathpur Dist. - Ranchi
2. Deputy Secretary, Building Construction Department, Govt of Jharkhand, Office at Project Bhawan Dhurwa P.O. Dhurwa P.S. Jagannathpur Dist. - Ranchi
3. Joint Secretary, Building Construction Department, Govt of Jharkhand, Office at Project Bhawan Dhurwa P.O. Dhurwa P.S. Jagannathpur Dist. - Ranchi
4. General Manager (Administration), Building Construction Department, Govt of Jharkhand, Office at Project Bhawan Dhurwa P.O. Dhurwa P.S. Jagannathpur Dist. - Ranchi
5. Engineer In Chief, Building Construction Department, Govt of Jharkhand, Office at Project Bhawan Dhurwa P.O. Dhurwa P.S. Jagannathpur Dist. - Ranchi
6. Jharkhand State Building Construction Corporation Ltd through its Secretary, Office at Project Bhawan Dhurwa P.O. Dhurwa P.S. Jagannathpur Dist. - Ranchi

**... ..Respondents**

**with**

**WP(S) No. 2715 of 2020**

Kundan Prasad.

**... . .Petitioner**

**--VERSUS--**

1. The State of Jharkhand
2. The Secretary cum Commissioner, Deptt. of Commercial Taxes, Govt. of Jharkhand, Office at Project Building Dhurwa P.O. P.S. Dhurwa Dist. - Ranchi
3. The Principal Secretary, Deptt. of Personnel Administration & Rajbhasa Dept, Govt. of Jharkhand Office at Project Building Dhurwa P.O. P.S. Dhurwa Dist. - Ranchi
4. The Joint Commissioner of Commercial Taxes (Administration), Ranchi Division, Ranchi.
5. The Joint Commissioner of Commercial Taxes (Administration), Hazaribagh Division, its Office at Near Civil Court Compound Kutchery Road P.O. G.P.O. P.S. Kotwali Dist. - Hazaribagh

**... ..Respondents**

**with**  
**WP(S) No. 2794 of 2020**

Satyendra Kumar

... . . .Petitioner

--VERSUS--

1. State of Jharkhand through the Secretary Department of Transport, FFP Building Dhurwa P.O. & P.S. Dhurwa Dist. - Ranchi
2. Secretary, Department of Transport, Govt of Jharkhand, FFP Building Dhurwa P.O. & P.S. Dhurwa Dist. - Ranchi
3. Transport Commissioner, Department of Transport, Govt of Jharkhand, FFP Building Dhurwa P.O. & P.S. Dhurwa Dist. – Ranchi
4. Joint Secretary, Department of Transport, Govt of Jharkhand, FFP Building Dhurwa P.O. & P.S. Dhurwa Dist. - Ranchi
5. Joint Secretary, Department of Planning Cum Finance, Govt of Jharkhand, Project Building Dhurwa P.O. & P.S. Dhurwa Dist. – Ranchi
6. Under Secretary, Department of Transport, Govt of Jharkhand, FFP Building Dhurwa P.O. & P.S. Dhurwa Dist. - Ranchi
7. Deputy Secretary, Department of Transport, Govt of Jharkhand, FFP Building Dhurwa P.O. & P.S. Dhurwa Dist. - Ranchi
8. Motor Vehicle Inspector, Palamau, Office at Motor Vehicle Inspector Palamau P.O. & P.S. Palamau Dist. - Palamau

... . . .Respondents

**with**  
**WP(S) No. 2942 of 2020**

Manu Hembram.

... . . .Petitioner

--VERSUS--

1. State of Jharkhand through the Chief Secretary, Govt of Jharkhand Office At Project Building Dhurwa P.O. Dhurwa P.S. Jagarnathpur Dist. - Ranchi
2. The Secretary, Rural Development Department, Govt of Jharkhand Office At Project Building Dhurwa P.O. Dhurwa P.S. Jagarnathpur Dist. – Ranchi
3. The Commissioner, Kolhan Division, Chaibasa P.O. P.S. Chaibasa Dist. - West Singhbhum
4. The Deputy Commissioner, East Singhbhum at Jamshedpur P.O. P.S. Sakchi Dist. - East Singhbhum
5. The Block Development Officer, Potka Block, P.O. P.S. Potka Dist. - East Singhbhum

... . . .Respondents

**with**  
**WP(S) No. 3543 of 2020**

Chandra Nath Dutta

... . . .Petitioner

--VERSUS--

1. The State of Jharkhand
2. Principal Secretary, Personnel, Administrative Reforms & Rajbhasha Deptt, Government of Jharkhand Ranchi
3. Deputy Commissioner, P.O. & P.S. Jamtara Dist. – Jamtara, Jharkhand
4. The District Level Committee, Jamtara For Service Regularisation, P.O. & P.S. Jamtara Dist. - Jamtara Jharkhand Through Its Member Secretary Cum Establishment Deputy Collector, Jamtara

... . . .Respondents

**with**  
**WP(S) No. 4413 of 2020**

1. Nand Kishore Babu Mahan
2. Subhadra Devi Behra
3. Kamal Krishna Mahato
4. Savitri Buriuly

... . . Petitioners

--VERSUS--

1. State of Jharkhand
2. Chief Secretary, Govt. of Jharkhand P.O. P.S. Dhurwa Dist. – Ranchi
3. Principal Secretary, Department of Social Welfare, Women & Children Development, Govt. of Jharkhand P.O. P.S. Dhurwa Dist. - Ranchi
4. Director. Department of Social Welfare, Women & Children Development, Govt. of Jharkhand P.O. P.S. Dhurwa Dist. – Ranchi
5. State Disability Commissioner, Govt. of Jharkhand P.O. P.S. Dhurwa Dist. - Ranchi

... . . Respondents

**with**  
**WP(S) No. 525 of 2021**

Anirban Kar

... . . Petitioner

--VERSUS--

1. The State of Jharkhand through its Chief Secretary, Project Bhawan P.O. & P.S. Dhurwa Dist. – Ranchi
2. Principal Secretary, Department of Personnel, Administrative Reforms & Rajbhasha, Project Bhawan P.O. & P.S. Dhurwa Dist. - Ranchi
3. Jharia Rehabilitation & Development Authority (J R D A), Dhanbad, Hatia More Golf Ground Hirapur P.O. & P.S. Dhanbad Dist. – Dhanbad
4. Deputy Commissioner-cum-Managing Director, Jharia Rehabilitation & Development Authority, J R D A, Dhanbad P.O. & P.S. Dhanbad Dist. – Dhanbad
5. Deputy Development Commissioner-cum-Project Director, Jharia Rehabilitation & Development Authority, Dhanbad P.O. & P.S. Dhanbad Dist.-Dhanbad.
6. Officer-in-charge, R & R Estt., J R D A, Dhanbad P.O. & P.S. Dhanbad Dist. - Dhanbad

... . . Respondents

**WP(S) No. 1548 of 2021**

Ashok Kumar.

... . . Petitioner

--VERSUS--

1. State of Jharkhand through its Principal Secretary Road Construction Department, Project Bhawan P.O. & P.S. Dhurwa Dist. – Ranchi
2. Engineer-in-Chief, Road Construction Department, Govt. of Jharkhand, Project Bhawan P.O. & P.S. Dhurwa Dist. - Ranchi
3. Superintending Engineer, Ranchi Division, Road Construction Department Road Division, Ranchi P.O. & P.S. Ranchi Dist. - Ranchi
4. The Executive Engineer, Road Construction Department, Road Division, Latehar P.O. & P.S. & Dist. – Latehar.

**... ..Respondents**

**with  
WP(S) No. 2240 of 2021**

1. Jayanti Devi.
2. Kedar Sah

**... . .Petitioners**

**--VERSUS--**

1. The State of Jharkhand
2. The Commissioner, Santhal Pargana Division, Dumka, P.O. P.S. Dist. - Dumka
3. The Deputy Commissioner, Godda, P.O. P.S. Dist. - Godda

**... ..Respondents**

**with  
WP(S) No. 2531 of 2021**

- Rajkishor Thakur.

**... . .Petitioner**

**--VERSUS--**

1. The State of Jharkhand through its Chief Secretary, Project Bhawan P.O. & P.S. Dhurwa Dist. – Ranchi
2. Secretary, Home, Prison & Disaster Management Department, Govt of Jharkhand, Project Bhawan P.O. & P.S. Dhurwa Dist. - Ranchi
3. Joint Secretary, Home Prison & Disaster Management Department, Govt of Jharkhand, Project Bhawan P.O. & P.S. Dhurwa Dist. – Ranchi
4. Inspector General of Prison, Jharkhand, Gol Chakkar Dhurwa P.O. & P.S. Dhurwa Dist. - Ranchi
5. Jail Superintendent, Divisional Jail Lohardaga, P.O. & P.S. & Dist. - Lohardaga

**... ..Respondents**

**with  
WP(S) No. 2780 of 2021**

- Monica.

**... . .Petitioner**

**--VERSUS--**

1. State of Jharkhand through Chief Secretary, Govt. of Jharkhand, office at Project Building P.O. Dhurwa P.S. Jagganathpur Dist. - Ranchi
2. The Secretary, Home, Women Child Development & Social Welfare Department, Govt of Jharkhand, office at Project Building P.O. Dhurwa P.S. Jagganathpur Dist. – Ranchi
3. The Principal Secretary, Department of Personnel, Administrative Reforms & Rajbhasha, Govt of Jharkhand Office at Project Building P.O. P.S. Dhurwa Dist. - Ranchi
4. The Deputy Commissioner, Deoghar P.O. P.S. & Dist. - Deoghar
5. The District Social Welfare Officer, Deoghar P.O. P.S. & Dist. - Deoghar
6. The C D P O, Devipur Block P.O. P.S. Devipur & Dist. - Deoghar

**... ..Respondents**

**with  
WP(S) No. 3082 of 2021**

1. Wahida Rahman.
2. Manisha Kumari

3. Sultana Praween
4. Sumita Kumari Rana.
5. Kumari Anshoo
6. Kiran Sharma
7. Vijay Lakshmi
8. Sarita Kumari
9. Meena Sahu
10. Nasima Khatoon
11. Jyoti Kumari
12. Shikha Bhardwaj
13. Kirti Sarita Minz
14. Aisha Khatoon

**... . . Petitioners**

--VERSUS--

1. State of Jharkhand
2. The Principal Secretary, Social Welfare Woman & Child Development Department, Project Building P.O. P.S. Dhurwa Dist. - Ranchi
3. Deputy Commissioner, Hazaribag, D.C. Office P.O. P.S. Hazaribag Dist. - Hazaribag
4. Deputy Development Commissioner, Hazaribag, P.O. P.S. Dist. – Hazaribag.
5. District Welfare Officer, Hazaribag, P.O. P.S. Dist. – Hazaribag
6. Deputy Commissioner, Ramgarh, Dc Office P.O. P.S. Ramgarh Dist. - Ramgarh
7. Deputy Development Commissioner, Ramgarh, P.O. P.S. Ramgarh Dist. - Ramgarh
8. District Welfare Officer, Ramgarh, P.O. P.S. Dist. - Ramgarh Dist. - Ramgarh

**... . . Respondents**

**with**

**WP(S) No. 3116 of 2021**

Ganesh Prasad

**... . . Petitioner**

--VERSUS--

1. The State of Jharkhand through its Chief Secretary, Project Building P.O. & P.S. Dhurwa Dist. – Ranchi
2. Principal Secretary, Revenue & Land Reforms Department, Govt of Jharkhand, Nepal House P.O. & P.S. Doranda Dist. - Ranchi
3. Director, Land Records & Survey Department, Govt of Jharkhand, Nepal House P.O. & P.S. Hazaribagh Dist. – Hazaribagh
4. Deputy Commissioner, Hazaribagh, P.O. & P.S. & Dist. - Hazaribagh
5. Settlement Officer, Hazaribagh, P.O. & P.S. Hazaribagh Dist. - Hazaribagh
6. Charge Officer, Settlement Office, Hazaribagh, P.O. & P.S. & Dist. - Hazaribagh

**... . . Respondents**

**with**

**WP(S) No. 3242 of 2021**

1. Niles Singh.
2. Abhay Kumar Mahto
3. Dineshwar Baitha

**... . . Petitioners**

--VERSUS--

1. State of Jharkhand
2. The Secretary Health Medical Education & Family Welfare Department, Govt of Jharkhand, Nepal House P.O. P.S. Doranda Dist. - Ranchi
3. The Director Health Medical Education & Family Welfare Department, Govt of Jharkhand, Nepal House P.O. P.S. Doranda Dist. - Ranchi
4. Director RINPAS Campus Kanke, P.O. P.S. Kanke Dist. - Ranchi

**... ..Respondents**

**with**

**WP(S) No. 3521 of 2021**

1. Hemant Kumar Mishra.
2. Chotelal Gupta
3. Balram Manjhi
4. Ravindra Kumar Singh
5. Mahendra Chaudhari
6. Krishna Chaudhary
7. Surendra Kishore
8. Vijay Ram @ Vijay Kumar
9. Sanjay Kumar Gupta
10. Abhishek Kumar
11. Satyendra Shukla,
12. Sanjay Kachchap
13. Sheo Kumar Singh
14. Dharm Prakash Prasad
15. Sachchidanand Tiwari
16. Diwakar Tiwari
17. Rana Singh @ Rana Pratap Singh
18. Tanuj Kumar Verma
19. Santosh Kumar
20. Nirmal Ram
21. Alok Kumar

**... ..Petitioners**

**--VERSUS--**

1. The State of Jharkhand
2. The Secretary Department of Drinking Water & Sanitation, Govt. of Jharkhand, Nepal House Secretariat Doranda P.O. & P.S. Doranda Dist. - Ranchi
3. The Chief Engineer, Department of Drinking Water & Sanitation, Nepal House Secretariat Doranda P.O. & P.S. Doranda Dist. - Ranchi
4. The Superintending Engineer, Drinking Water & Sanitation Circle Medininagar, P.O. & P.S. Medininagar Dist. - Palamau
5. The Executive Engineer, Drinking Water & Sanitation Division, P.O. & P.S. Medininagar Dist. - Palamau
6. The Assistant Engineer, Palamau Division Drinking Water & Sanitation Department, P.O. & P.S. Medininagar Dist. - Palamau

**... ..Respondents**

**with**

**WP(S) No. 4351 of 2021**

Vinod Kumar.

**... ..Petitioner**

**--VERSUS--**

1. State of Jharkhand
2. Secretary, Agriculture Animal Husbandry & Co Operative Department, Govt of Jharkhand, Nepal House P.O. P.S. Doranda Dist. - Ranchi
3. Secretary, Personnel Rajbhaga & Administrative Reforms Department, Govt of Jharkhand, Nepal House P.O. P.S. Doranda Dist. - Ranchi
4. Birsa Agriculture University, P.O. P.S. Kankey Dist. - Ranchi
5. Vice Chancellor, Birsa Agriculture University, P.O. P.S. Kankey Dist. – Ranchi
6. Registrar, Birsa Agriculture University, P.O. P.S. Kankey Dist. - Ranchi
7. Director (Administration), Birsa Agriculture University, P.O. P.S. Kankey, Dist. - Ranchi
8. Dean, Birsa Agriculture University, P.O. P.S. Kankey Dist. – Ranchi.

**... ..Respondents****with  
WP(S) No. 4707 of 2021**

1. Kanak Lata Singh.
2. Reena Gupta
3. Anita Hembram
4. Sushila Marandi
5. Kiran Kumari Tudu
6. Ram Pravesh Gupta
7. Om Prakash Pandit
8. Suresh Kumar Bhagat

**... .Petitioners****--VERSUS--**

1. The State of Jharkhand through the Chief Secretary, Government of Jharkhand Office at Project Building Dhurwa P.O. P.S. Dhurwa Dist. - Ranchi
2. The Secretary, Home, Women, Child Development & Social Welfare Department, Govt. of Jharkhand Office At Project Building Dhurwa P.O. P.S. Dhurwa Dist. - Ranchi
3. The Principal Secretary, Department of Personnel, Administrative Reforms & Rajbhaga, Govt of Jharkhand Office At Project Building Dhurwa P.O. P.S. Dhurwa Dist. - Ranchi
4. The Deputy Commissioner, Godda P.O. P.S. & Dist. - Godda
5. The District Social Welfare Officer, Godda P.O. P.S. & Dist. - Godda

**... ..Respondents****with  
WP(S) No. 4966 of 2021**

1. Rajesh Kumar.
2. Birendra Ram
3. Gita Devi
4. Rajmati Devi

**... .Petitioners****--VERSUS--**

1. The State of Jharkhand
2. The Secretary, Department of Health & Family Welfare, Govt. of Jharkhand, Ground Floor Nepal House P.O. P.S. Doranda Dist. - Ranchi

3. The Civil Surgeon Cum Chief Medical Officer, Garhwa, Sadar Hospital Garhwa P.O. P.S. Garhwa Dist. - Garhwa
4. The Deputy Superintendent Divisional Hospital, P.O. P.S. Nagar Uttari Dist. – Garhwa.

**... ..Respondents**

**with**

**WP(S) No. 4972 of 2021**

Jai Prakash

**.. . .Petitioner**

--VERSUS--

1. Birsa Agricultural University through its Chancellor, Kanke P.O. P.S. Kanke Dist. - Ranchi
2. The Vice Chancellor Birsa Agricultural University, Kanke P.O. P.S. Kanke Dist. – Ranchi
3. Registrar Birsa Agricultural University Kanke, Kanke P.O. P.S. Kanke Dist. – Ranchi
4. Director (Administration), Birsa Agricultural University, Kanke, Kanke P.O. P.S. Kanke Dist. - Ranchi
5. Director (Extension Education), Birsa Agricultural University, Kanke, Kanke P.O. P.S. Kanke Dist. - Ranchi
6. Assistant Director Administration (E), Birsa Agricultural University Kanke, Kanke P.O. P.S. Kanke Dist. - Ranchi

**... ..Respondents**

**with**

**WP(S) No. 5027 of 2021**

1. Shashi Bara @ Shashi Bada
2. Mukul Poul Tigga
3. Sushil Asur
4. Sushil Bara
5. Kartik Uraon
6. Tonnu Nayak
7. Smt. Olibh Prabha Ekka
8. Indranath Korba
9. Sita Ram Badaik
10. Santosh Ram
11. Purnima Kumari

**.. . .Petitioners**

--VERSUS--

1. The State of Jharkhand
2. The Secretary, Welfare Department, Jharkhand Ranchi Office at Project Building P.O. P.S. Dhurwa Dist. - Ranchi
3. The Tribal Welfare Commissioner, Jharkhand, Office at Project Building P.O. P.S. Dhurwa Dist. - Ranchi
4. The Deputy Commissioner, Gumla P.O. P.S. Gumla Dist. – Gumla
5. The Deputy Commissioner, Garhwa P.O. P.S. Garhwa Dist. - Garhwa
6. The District Welfare Officer, Gumla P.O. P.S. Gumla Dist. - Gumla
7. The District Welfare Department, Garhwa P.O. P.S. Garhwa Dist. – Garhwa

**... ..Respondents**

**with**

**WP(S) No. 5509 of 2021**

Prasun Kumar Sinha

**... . . Petitioner**

--VERSUS--

1. The State of Jharkhand
2. Secretary, Department of Personnel, Administrative Reforms & Rajbhasha, Govt of Jharkhand Project Bhawan P.O. P.S. Dhurwa Dist. – Ranchi
3. Secretary, Department of Forest, Govt of Jharkhand Nepal House P.O. P.S. Doranda Dist. - Ranchi
4. Principal Chief Conservator of Forest, Forest Department, Govt of Jharkhand Nepal House P.O. P.S. Doranda Dist. - Ranchi
5. Assistant Principal Chief Conservator of Forest Department of Forest, P.O. P.S. & Dist. – Hazaribagh
6. Conservator of Forest, Daltonganj Afforestation & Social Forestry Circle, P.O. P.S. & Dist. – Daltonganj
7. Divisional Forest Officer, Social Forestry Division P.O. P.S. & Dist. - Garhwa
8. Divisional Commissioner, Palamau P.O. P.S. Medininagar Dist. - Palamau

**... . . Respondents****with****WP(S) No. 312 of 2022**

Dhirendra Kumar Satpathy

**... . . Petitioner**

--VERSUS--

1. The State of Jharkhand through its Chief Secretary, Govt of Jharkhand Project Bhawan P.O. P.S. Dhurwa Dist. - Ranchi
2. Secretary, Urban Development & Housing Department, Urban Administrative Directorate, Project Bhawan P.O. P.S. Dhurwa Dist. - Ranchi
3. Deputy Commissioner, Seraikella Kharsawan, P.O. P.S. Seaikella Dist. - Seraikella Kharsawan
4. Executive Officer, Seraikella Nagar Panchayat, P.O. P.S. Seraikella Dist. - Seraikella Kharsawan.

**... . . Respondents****with****WP(S) No. 371 of 2022**

Manohar Kumar.

**... . . Petitioner**

--VERSUS--

1. The State of Jharkhand
2. The Divisional Commissioner, Palamau P.O. P.S. Medininagar Dist. – Palamau
3. The Deputy Commissioner, Palamau P.O. P.S. Medningar Dist. - Palamau
4. The Sub Divisional Officer, Hussainabd P.O. P.S. Hussainabad Dist. – Palamau
5. The Establishment Deputy Collector, Palamau P.O. P.S. Medninagar Dist. - Palamau
6. The Block Development Officer, Mohammadganj P.O. P.S. Mohammadganj Dist. - Palamau

**... . . Respondents****with****WP(S) No. 1454 of 2022**

1. Eron Horo

2. Jagat Bhushan
3. Jayant Kumar Tudu

**... .Petitioners**

--VERSUS--

1. The State of Jharkhand, through Chief Secretary, having its Office at Project Building Dhurwa P.O. Dhurwa P.S. Dhurwa Dist. - Ranchi
2. The Principal Secretary, Health, Medical Education & Family Welfare Department Govt. of Jharkhand, having its Office at Nepal House Doranda P.O. P.S. Doranda Dist. - Ranchi
3. The Principal Secretary, Personnel, Administrative Reforms & Rajbhasha Department Govt. of Jharkhand, having its Office at Project Building Dhurwa P.O. Dhurwa P.S. Dhurwa Dist. - Ranchi Jharkhand

**... .Respondents**

**with**

**WP(S) No. 2748 of 2022**

Bipat Ravidas

**.. .Petitioner**

--VERSUS--

1. The State of Jharkhand
2. The Principal Secretary, Department of Personnel, Administrative Reforms & Rajbhasha, Govt. of Jharkhand, Project Building P.O. Dhurwa P.S. Jagannathpur Dist. - Ranchi
3. Principal Secretary, Department of Home, Jail & Disaster Management, Govt of Jharkhand Project Building P.O. P.S. Dhurwa Dist. – Ranchi
4. Inspector General of Prison, Jail Inspectorate, Govt. of Jharkhand Engineers Hostel Gol Chakar Dhurwa Dist. - Ranchi
5. Superintendent, Central Jail Giridih, P.O. P.S. & Dist. - Giridih

**... .Respondents**

**with**

**WP(S) No. 3121 of 2022**

1. Hitesh Kranti Jha
2. Upendra Mahto
3. Anand Kumar
4. Aakal Mahto

**.. .Petitioners**

--VERSUS--

1. The State of Jharkhand through the Chief Secretary, Project Building P.O. Dhurwa P.S. Jagannathpur Dist. - Ranchi
2. The Principal Secretary, Department of Personnel Administrative Reforms & Rajbhasha Govt of Jharkhand, Project Building P.O. Dhurwa P.S. Jagannathpur Dist. - Ranchi
3. The Secretary Deptt of Revenue Registration & Land Reforms Govt of Jharkhand, Project Building P.O. Dhurwa P.S. Jagannathpur Dist. - Ranchi
4. The Commissioner, Santhal Pargana Division, Divisional Commissioner Office P.O. P.S. Dumka Dist. - Dumka
5. The Deputy Commissioner, New Collectoriate Building P.O. P.S. Dumka Dist. – Dumka.

**... ..Respondents**

**with  
WP(S) No. 3351 of 2022**

Jharkhand Rajya Kara Dainik Karmi Association through the Chairman, Jyoti Pramod Minz.

**... . .Petitioner**

--VERSUS--

1. The State of Jharkhand through the Chief Secretary, Govt. of Jharkhand, Project Building P.O. Dhurwa P.S. Jaganathpur Dist. – Ranchi
2. The Principal Secretary, Department of Personnel, Administrative Reforms & Rajya Bhasha, Project Building P.O. Dhurwa P.S. Jaganathpur Dist. – Ranchi
3. Principal Secretary, Department of Home, Jail & Disaster Management, Project Building P.O. Dhurwa P.S. Jaganathpur Dist. – Ranchi
4. Inspector General of Prisons, Jail Inspectorate, Govt of Jharkhand, Engineers Hostel Goal Chakkar Dhurwa P.O. Dhurwa Dist. - Ranchi
5. Superintendent, Birsa Munda Central Jail, Hotwar Ranchi, P.O. P.S. Khelgaon Dist. - Ranchi
6. Superintendent, Loknayak Jaiprakash Narayan Central Jail, Hazaribagh, P.O. Reformatory School P.S. Lohsinghna Dist. - Hazaribagh
7. Superintendent, Central Jail, Dumka, P.O., P.S. & Dist. - Dumka
8. Superintendent ,Central Jail, Medininagar, Palamau, P.O. P.S. Medininagar Dist. - Palamu
9. Superintendent, Central Jail, Ghaghidih Jamshedpur, P.O. Karandi P.S. Parsodih Dist. - East Singhbhum
10. Superintendent, Sub Jail, Ghatshila, P.O. Dobha P.S. - Dharmugarh Dist. - Purbi Singhbhum
11. Superintendent Sub Jail, Tenughat, P.O. P.S. Tenughat Dist. – Bokaro, Jharkhand
12. Superintendent, Central Jail, Deoghar, P.O. P.S. Dist. - Deoghar

**... ..Respondents**

**with  
WP(S) No. 3473 of 2022**

Md Samsul Alam.

**... . .Petitioner**

--VERSUS--

1. The State of Jharkhand
2. The Principal Secretary, Department of Personnel Administrative Reforms & Rajbhasha, Project Building P.O. Dhurwa P.S. Jagannathpur Dist. - Ranchi
3. Principal Secretary, Department of Home Jail & Disaster Management, Govt of Jharkhand, Project Building P.O. Dhurwa P.S. Jagannathpur Dist. - Ranchi
4. Inspector General of Prison, Jail Inspectorate, Govt of Jharkhand, Engineers Hostel Gol Chakar Dhurwa P.O. P.S. Dhurwa Dist. - Ranchi
5. Superintendent, Central Jail Giridih, P.O., P.S. & Dist. Giridih.

**... ..Respondents**

**with  
WP(S) No. 4099 of 2022**

Sumit Kumar Ram

**... . . Petitioner**

--VERSUS--

1. The State of Jharkhand through the Chief Secretary, Office At Project Building Dhurwa P.O. P.S. Jagarnathpur Dist. - Ranchi
2. The Secretary, Urban Development & Housing Department, 4th Floor Project Bhawan Dhurwa P.O. Dhurwa P.S. Jagannathpur Dist. - Ranchi
3. The Principal Secretary, Department of Personnel, Administrative Reforms & Rajbhasha, Office At Office At Project Building Dhurwa P.O. Dhurwa P.S. Jagannathpur Dist. - Ranchi
4. The Director, Urban Administration Directorate Urban Development & Housing Department, 4th Floor Project Bhawan Dhurwa P.O. P.S. Jagannathpur Dist. - Ranchi
5. Executive Officer, Gumla Nagar Parishad Office BSNL Telephone Exchange Palkot Road P.O. Gumla & P.S. Gumla Dist. - Gumla

**... . . Respondents**

**with  
WP(S) No. 4102 of 2022**

Brajesh Kumar.

**... . . Petitioner**

--VERSUS--

1. The State of Jharkhand through the Chief Secretary, Office at Project Building Dhurwa P.O. Dhurwa P.S. Jagarnathpur Dist. – Ranchi
2. The Secretary, Urban Development & Housing Department, 4th Floor Project Bhawan Dhurwa P.O. Dhurwa P.S. Jagannathpur Dist. - Ranchi
3. The Principal Secretary, Department of Personnel, Administrative Reforms & Rajbhasha, Office at Project Building Dhurwa P.O. Dhurwa P.S. Jagannathpur Dist. - Ranchi
4. The Director, Urban Administration Directorate, Urban Development & Housing Department, 4th Floor Project Bhawan Dhurwa P.O. Dhurwa P.S. Jagannathpur Dist. - Ranchi
5. Executive Officer, Gumla Nagar Parishad, Office Near BSNL Telephone Exchange Palkot Road P.O. Gumla P.S. Gumla Dist. - Gumla

**... . . Respondents**

**with  
WP(S) No. 4103 of 2022**

1. Bhism Turi.
2. Buchwa Oraon
3. Anand Bara
4. Chhandan Lehra
5. Sitaram Oraon
6. Arjun Lohra
7. Manoj Minz
8. Adit Kerketta
9. Sitaram Oraon
10. Devki Devi
11. Bina Devi

12. Anil Kerketta
13. Eta Oraon
14. Mohan Lohra

**... . . Petitioners**

--VERSUS--

1. The State of Jharkhand through the Chief Secretary, Office at Project Building Dhurwa P.O. Dhurwa Dist. – Ranchi
2. The Secretary, Urban Development & Housing Department, 4th Floor Project Bhawan Dhurwa P.O. Dhurwa P.S. Jagannathpur Dist. - Ranchi
3. The Principal Secretary, Department of Personnel Administrative Reforms & Rajbhasha, Office at Project Building Dhurwa P.O. Dhurwa P.S. Jagannathpur Dist. - Ranchi
4. The Director, Urban Administration Directorate Urban Development & Housing Department, 4th Floor Project Bhawan Dhurwa P.O. Dhurwa P.S. Jagannathpur Dist. - Ranchi
5. Executive Officer, Gumla Nagar Parishad Office at BSNL Telephone Exchange Palkot Road P.O. Gumla P.S. Gumla Dist. - Gumla

**.. .. Respondents**

**with  
WP(S) No. 4178 of 2022**

Ranjeet Kumar

**... . . Petitioner**

--VERSUS--

1. The State of Jharkhand
2. The Principal Secretary, Personnel Administrative & Reforms Deptt, Govt of Jharkhand Ranchi, Officiating From Project Bhawan P.O. Dhurwa P.S. Jagarnathpur Dist. - Ranchi
3. The Principal Secretary, Higher & Technical Education Deptt Govt of Jharkhand Ranchi, Officiating from Yojna Bhawan Nepal House P.O. Doranda P.S. Doranda Dist. - Ranchi
4. The Additional Secretary, Deptt. of Higher & Technical Education Govt of Jharkhand Ranchi, Officiating From Yojna Bhawan Nepal House P.O. Doranda P.S. Doranda Dist. - Ranchi
5. The Assistant Director-cum-Drawing-cum-Disbursing Officer Technical Education Directorate, Govt of Jharkhand Ranchi Officiating From Yojna Bhawan Nepal House P.O. Doranda P.S. Doranda Dist. - Ranchi
6. The Joint Secretary, Personnel Administrative & Reforms Deptt Govt of Jharkhand Ranchi, Officiating from Project Bhawan P.O. Dhurwa P.S. Jagarnathpur Dist. - Ranchi
7. The Director (Technical), Science & Technology Higher & Technical Education Deptt, Govt of Jharkhand, officiating from Yojna Bhawan Nepal House P.O. Doranda P.S. Doranda Dist. - Ranchi

**... .. Respondents**

**WP(S) No. 4326 of 2022**

Md Khajmuddin

**... . . Petitioner**

--VERSUS--

1. The State of Jharkhand

2. The Secretary Department of Rural Development, Govt. of Jharkhand, Project Building P.O. Dhurwa P.S. Jagarnathpur Dist. – Ranchi
3. The Deputy Commissioner Sahibganj, P.O. & P.S. & Dist. - Sahibganj
4. The Deputy Development Commissioner, P.O. & P.S. & Dist. - Sahibganj
5. The Deputy Collector District Confidential Department, P.O. & P.S. Sahibganj Dist. - Sahibganj

**... .Respondents**

**with  
WP(S) No. 4690 of 2022**

1. Hemant Kumar Sahu.
2. Pradeep Kumar Patar
3. Manoj Kumar Choubey

**. . .Petitioners**

**--VERSUS--**

1. State of Jharkhand
2. The Chief Secretary Government of Jharkhand, Office at Project Bhawan Dhurwa P.O. P.S. Dhurwa Dist. - Ranchi
3. The Principal Secretary, Department of Finance, Govt of Jharkhand, Office at Project Bhawan Dhurwa P.O. P.S. Dhurwa Dist. – Ranchi
4. The Principal Secretary, Department of Revenue Registration & Land Reforms, Govt of Jharkhand, Office at Project Bhawan Dhurwa P.O. P.S. Dhurwa Dist. - Ranchi
5. The Commissioner, Kolhan Division, at Chaibasa P.O. P.S. Chaibasa Dist. - Singhbhum East
6. The Deputy Commissioner, Singhbhum East, at Jamshedpur P.O. P.S. Jamshedpur Dist. - Singhbhum East
7. The Block Development Officer, Dumria, at P.O. P.S. Dumra Dist. - Singhbhum East
8. The Block Development Officer, Dhalbhumgarh, at P.O. P.S. Dhalbhumgarh Dist. - Singhbhum East

**... .Respondents**

**with  
WP(S) No. 4737 of 2022**

Nishikant Basuri

**... .Petitioner**

**--VERSUS--**

1. State of Jharkhand
2. The Chief Secretary, Govt. of Jharkhand, office at Project Bhawan Dhurwa P.O. P.S. Dhurwa Dist. – Ranchi
3. The Principal Secretary, Department of Finance, Govt. of Jharkhand Project Bhawan Dhurwa P.O. P.S. Dhurwa Dist. – Ranchi
4. The Principal Secretary, Department of Personnel, Administrative Reforms and Rajbhasa, Govt. of Jharkhand, Project Bhawan Dhurwa P.O. P.S. Dhurwa Dist. - Ranchi
5. The Commissioner, Kolhan Division & Chaibasa, P.O. P.S. Chaibasa Dist. - East Singhbhum
6. The Deputy Commissioner, Singhbhum East at Jamshedpur P.O. P.S. Jamshedpur Dist. - East Singhbhum

7. The Block Development Officer, Bahragoda P.O. & P.S. Bahragoda Dist. - East Singhbhum

**... ..Respondents**

**with  
WP(S) No. 4741 of 2022**

1. Kailash Bhuiyan  
2. Gopal Nag  
3. Sakun Devi

**.. . .Petitioners**

--VERSUS--

1. State of Jharkhand  
2. The Chief Secretary, Govt. of Jharkhand, Ranchi.  
3. The Principal Secretary, Department of Finance, Govt. of Jharkhand, Ranchi.  
4. The Principal Secretary, Department of Revenue Registration & Land Reform, Project Bhawan Dhurwa P.O. & P.S. Dhurwa Dist. – Ranchi  
5. The Commissioner, Kolhan Division at Chaibasa, P.O. & P.S. Chaibasa Dist. - West Singhbhum  
6. The Deputy Commissioner Singhbhum East at Jamshedpur, P.O. & P.S. Jamshedpur Dist. – Singhbhum East.

**... ..Respondents**

**with  
WP(S) No. 4775 of 2022**

Anuprash Verma

**.. . .Petitioner**

--VERSUS--

1. The State of Jharkhand through the Director, Deptt. of Higher & Technical Education, Nepal House P.O. & P.S. Doranda Dist. - Ranchi  
2. The Secretary, Department of Higher & Technical Education, Nepal House P.O. & P.S. Doranda Dist. – Ranchi  
3. The Vice Chancellor, Nilamber Pitamber University, P.O. & P.S. Medininagar Dist. - Palamau  
4. The Registrar, Nilamber Pitamber University, P.O. & P.S. Medininagar Dist. - Palamau

**... ..Respondents**

**with  
WP(S) No. 4777 of 2022**

Nawnit Kumar Singh

**.. . .Petitioner**

--VERSUS--

1. The State of Jharkhand through Director, Deptt. of Higher & Technical Education, Nepal House P.O. & P.S. Doranda Dist. - Ranchi  
2. The Secretary, Department of Higher & Technical Education, Nepal House P.O. & P.S. Doranda Dist. – Ranchi  
3. The Vice Chancellor, Nilamber Pitamber University, P.O. & P.S. Medininagar Dist. - Palamau

4. The Registrar, Nilamber Pitamber University, P.O. & P.S. Medininagar Dist. -  
Palamau

**... ..Respondents  
with  
WP(S) No. 4907 of 2022**

1. Dharmendra Singh
2. Md Salauddin
3. Md Enamul Haque
4. Md Suhail Ansari,
5. Prabhu Sah
6. Krishna Thakur
7. Dhananjay Rajak
8. Abdul Mustafa
9. Mahboob Alam
10. Ajit Thakur
11. Dilip Kumar
12. Ashok Singh
13. Santosh Kumar Chandrabansi
14. Amresh Kumar
15. Anil Kumar Paswan
16. Sudhir Kumar Singh
17. Rakesh Patra
18. Horil Tanti
19. Varun Kumar Raut
20. Pradeep Oraon
21. Umesh Kumar Sharma
22. Sanjay Kumar Singh
23. Ramesh Thakur
24. Mukesh Prasad Alias Mukesh Gupta
25. Bharat Kumar Das
26. Umesh Kumar Mahto
27. Pradeep Kumar Rajak
28. Rajesh Kumar Singh
29. Birendra Kumar Singh
30. Uttam Kumar Mishra
31. Kangres Prasad Yadav
32. Rajiv Sharma
33. Ajit Kumar
34. Subir Chatterjee
35. Subedar Ravidas
36. Danesh Rajak
37. Md Wasim Ansari
38. Md Saddam Hussain
39. Sapan Kumar
40. Laldev Kumar Yadav
41. Bharat Choudhary
42. Upendra Mahto
43. Hitesh Kranti Jha
44. Dilip Yadav

- 45. Satya Prakash
- 46. Rajiv Kumar
- 47. Md Kalimuddin Ansari
- 48. Pramod Kumar Das
- 49. Arvind Kumar Paswan
- 50. Shreekanth Das
- 51. Ranjit Bindari
- 52. Shankar Chik Baraik
- 53. Rajendra Prasad Yadav

**... . . Petitioners**

--VERSUS--

- 1. The State of Jharkhand through its Chief Secretary, Project Building P.O. & P.S. Dhurwa Dist. - Ranchi
- 2. The Secretary, Rural Development Department, Project Building P.O. & P.S. Dhurwa Dist. - Ranchi
- 3. The Secretary Department of Personnel, Administrative Reforms & Rajbhasa, Project Building P.O. & P.S. Dhurwa Dist. - Ranchi

**... . . Respondents**

**with**

**WP(S) No. 5775 of 2022**

- 1. Sanjiv Kumar Prasad
- 2. Deepak Kumar Gupta
- 3. Md Kalim Uddin Ansari

**... . . Petitioners**

--VERSUS--

- 1. State of Jharkhand through its Chief Secretary, Office at Project Bhawan Dhurwa P.O. Dhurwa P.S. Jagannathpur Dist. - Ranchi
- 2. Principal Secretary Department of Personnel Administrative Reforms & Rajbhasa, Office at Project Bhawan Dhurwa P.O. Dhurwa P.S. Jagannathpur Dist. – Ranchi
- 3. Secretary, Department of Rural Development, Govt of Jharkhand, Office at Project Bhawan Dhurwa P.O. & P.S. Jagannathpur Dist. - Ranchi
- 4. Deputy Development Commissioner, District Rural Development Agency Dhanbad, P.O. & P.S. & Dist. - Dhanbad
- 5. Deputy Commissioner Cum District Program Coordinator District Rural Development Agency Dhanbad, Office at Dhanbad P.O. & P.S. & Dist. - Dhanbad

**... . . Respondents**

**with**

**WP(S) No. 5922 of 2022**

Kaushlesh Kumar Rajak

**... . . Petitioner**

--VERSUS--

- 1. The State of Jharkhand through the Chief Secretary, Project Building P.O. Dhurwa P.S. Jagannathpur Dist. – Ranchi
- 2. The Principal Secretary, Department of Personnel Administrative Reforms & Rajbhasa, Govt of Jharkhand, Project Building P.O. Dhurwa P.S. Jagannathpur Dist. – Ranchi

3. The Secretary, Department of Rural Development, Govt of Jharkhand, F F P Building Dhurwa P.O. Dhurwa P.S. Jaganathpur Dist. - Ranchi
4. The Commissioner, Mahatma Gandhi National Rural Employees Guarantee Act MGNREGA Department of Rural, Govt of Jharkhand, F F P Building First Floor Dhurwa P.O. Dhurwa P.S. Jaganathpur Dist. - Ranchi
5. The Deputy Commissioner, Collectorate Campus Garhwa, P.O. & P.S. & Dist. – Garhwa.
6. The Deputy Development Commissioner, Collectorate Campus Garhwa, P.O. & P.S. & Dist. - Garhwa
7. The Block Development Officer, Block Development Office, Meral P.O. & P.S. Meral Dist. – Garhwa.

**... ..Respondents**

**with  
WP(S) No. 6192 of 2022**

1. Rajendra Prasad Mehta.
2. Rajesh Kumar Mandal
3. Devrup Bagchi
4. Chandra Shekhar Banerjee
5. Rajkumar Singh
6. Nityanand Kumar Mehta
7. Rahul Kumar Singh
8. Lakshman Prasad
9. Amresh Kumar
10. Gangadhar Ram
11. Birendra Prasad
12. Satish Chandra Pandey
13. Saroj Ranjan

**... . .Petitioners**

--VERSUS--

1. The State of Jharkhand through the Secretary, Deptt. of School Education & Literacy, Govt of Jharkhand Office at MDI Building Dhurwa P.O. P.S. Dhurwa Dist. – Ranchi
2. The Director, Secondary Education, Department of School Education & Literacy, Govt. of Jharkhand Office at MDI Building Dhurwa P.O. P.S. Dhurwa Dist. - Ranchi
3. Jharkhand Secondary Education Project Council through its State Project Director, Office at MDI Building Dhurwa P.O. P.S. Dhurwa Dist. - Ranchi
4. Deputy Commissioner, Hazaribagh, Office at District Collectorate P.O. P.S. Hazaribagh Dist. - Hazaribagh
5. Deputy Commissioner, Giridih, Office at District Collectorate P.O. P.S. Giridih Dist. – Giridih
6. Deputy Commissioner, Saraikela Kharsawan, Office at District Collectorate P.O. P.S. & Dist. - Saraikela Kharsawan
7. Deputy Commissioner, Dumka, Office at District Collectorate P.O. P.S. Dumka Dist. - Dumka
8. District Education Officer, Hazaribagh, Office at District Collectorate P.O. P.S. Hazaribagh Dist. – Hazaribagh

9. District Education Officer, Giridih, Office at District Collectorate P.O. P.S. & Dist. - Giridih
10. District Education Officer, Saraikela Kharsawan, Office at District Collectorate P.O. P.S. & Dist. - Saraikela Kharsawan
11. District Education Officer, Dumka, Office at District Collectorate P.O. P.S. Dumka Dist. - Dumka

**... .Respondents**

**with**

**WP(S) No. 6290 of 2022**

Gautam Kumar Ravi

**... .Petitioner**

--VERSUS--

1. The State of Jharkhand
2. The Secretary, Rural Development Department, Govt of Jharkhand Ranchi
3. The Deputy Commissioner, Hazaribagh, P.O. & P.S. & Dist. - Hazaribagh
4. The Deputy Development Commissioner, Hazaribagh, P.O. & P.S. & Dist. - Hazaribagh

**... .Respondents**

**with**  
**WP(S) No. 210 of 2023**

Ramakant Bhaiya

**... .Petitioner**

--VERSUS--

1. The State of Jharkhand through its Chief Secretary, Office at Project Building P.O. P.S. Dhurwa Dist. – Ranchi
2. Secretary, Department of Rural Development, Office at FFP Building P.O. P.S. Dhurwa Dist. - Ranchi
3. Deputy Commissioner, Jamtara.
4. Deputy Development Commissioner-cum-District Programme Coordinator, Jamtara.
5. Block Development Officer Jamtara.

**... .Respondents**

**with**  
**WP(S) No. 2045 of 2023**

1. Nutan Kumari.
2. Moni Kumari
3. Santosh Kumar Nag
4. Jyoti Bilung
5. Chandan Kumar
6. Ashish Prasad
7. Jyoti Kachhap
8. Navneet Kumar
9. Shankar Kumar

**... .Petitioners**

--VERSUS--

1. The State of Jharkhand through Chief Secretary, Office at Project Bhawan P.O. Dhurwa P.S. Jagannathpur Dist. - Ranchi
2. Secretary, Deptt. of Labour, Employment Training & Skill Development, Govt of Jharkhand Office at Nepal House P.O. Doranda P.S. Doranda Dist. - Ranchi  
Secretary Deptt of Planning Cum Finance, Govt of Jharkhand Office At Project Bhawan P.O. Dhurwa P.S. Jagarnathpur Dist. - Ranchi
3. Deputy Secretary, Deptt. of Labour, Employment Training & Skill Development, Govt. of Jharkhand Office at Nepal House P.O. Doranda P.S. Doranda Dist. - Ranchi
4. Director, Employment & Training, Deptt of Labour, Employment Training & Skill Development, Govt of Jharkhand Office at Nepal House Doranda P.S. Doranda Dist. - Ranchi
5. Secretary, Deptt. of Planning-cum-Finance, Govt. of Jharkhand, Ranchi.

**... .Respondents**

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For the Petitioner : M/s. Rajendra Krishna, Ritu Kumar, Indrajit Sinha, Sumeet Gadodia, Saurav Arun, Sanjoy Piprawall, Amritansh Vats, Saurabh Shekhar, Shubha Jha, A.K. Sahani, Pratiush Lala, P.A. Khan, Ranjit Kumar, Nand Kishore Prasad Sinha, Ram Subbag Singh, Arpan Mishra, Rahul Kr. Singh, Shadab Bin Haque, Rajan Sahay, Nanda Kumari, Prakash Kumar, R.R. Tiwary, Vinay Kr. Tiwary, Arvind Kr. Singh, Dr. H. Waris, Md. Jalilur Rahman, Birendra Kumar, Ashutosh Prasad Josi, Khalida Haya Rashmi, Suraj Singh, Deepak Kumar Bharti, Rohit Ranjan Sinha, Atanu Banerjee, D.D. Saha, Radha Krishna Gupta, Bipin Kumar Prabhat, K.K. Mishra, Ujjal Sinha, Ranjan Kumar Singh, Ravi Kumar, Pankaj Srivastava, Rakesh Kumar, Leena Mukherjee, Vikram Sinha, Abhishek Srivastava, P.K. Choudhary, Anil Kumar Sinha, **Advocates**

For the Resp-State : M/s Rajiv Ranjan, Advocate General,  
 Mr. Sachin Kumar, Addl. AG-II  
 Mr. Ashutosh Anand, Addl. AG-III  
 Ms. Vandana Singh, Sr. SC-III  
 Mr. Ashwini Bhushan, AC to Sr. SC-III  
 Mr. Uttam Kr. Das, AC to GP-VI  
 Ms. Divya, AC to SC-III  
 Mr. Praveen Akhouri, SC(M)-I  
 Mr. Sharabnil Ahmed, AC to SC(M)-I  
 Mr. R.K. Singh, AC to GP-IV  
 Mr. Krishna Murari, Advocate  
 Mr. K.K. Singh, SC-V  
 Mr. Deepak Kumar, AC to SC (L&C)-III  
 Mr. Suresh Kumar, SC(L&C)-II  
 Mr. Anshuman Kumar, AC to SC(L&C)-II  
 Mr. Prabhat Kumar, SC-II  
 Ms. Shaurya, AC to SC-II  
 Mr. Chandan Tiwary, AC to GA-I

Mr. Sharad Kaushal, AC to AAG-III  
 Mr. Nehru Mahto, AC to GP-IV  
 Mr. Krishna Kr. Bhatt, AC to SC-I  
 Mr. Raunak Sahay, AC to GP-V  
 Mr. Devesh Krishna, SC (M)-III  
 Mr. Faisal Allam, AC to SC(M)-III  
 Mr. Indranil Bhaduri, SC-IV  
 Mr. Divyam, AC to SC-IV  
 Ms. Pinky Tiwary, AC to AG  
 Mr. Rahul Dev, AC to SC(L&C)-III  
 Mr. Deepak Kr. AC to SC(L&C)-III  
 Mr. Amit Kumar, SC(M)-II  
 Ms. Shilpi, AC to SC(M)-II  
 Mr. Rohit, AC to AAG-I  
 Mr. Aman Kumar, AC to GP-I  
 Mr. Mukesh Kr. Singh, AC to GP-II  
 Mr. Manish Kumar, Sr. SC-II  
 Mr. Amit Mishra, AC to Sr. SC-II  
 Mr. Rajesh Kumar Jha, AC to Sr. SC-II  
 Mr. Pradeep Kumar, AC to AAG-IV  
 Mr. Shishir Suman, AC to AAG-IV  
 Mr. Deepak Kumar, AC to SC (L&C)-III  
 Mr. Deepak Kr. Singh, AC to GP-IV  
 Ms. Khushboo Kumari, AC to GP-IV  
 Mr. J.F. Toppo, GA-V  
 Mrs. Moushmi Chatterjee, AC to GA-V  
 Mr. Manoj Kumar, GA-III  
 Mr. Rakesh Kumar Roy, AC to GA-III  
 Mr. Sanjay Kumar Tiwari, SC-I

For the University : Dr. Ashok Kumar Singh, Advocate  
Mr. Abdul Allam, Sr. Advocate

For the UOI : Mr. Anil Kumar, ASGI  
Mr. Vikash Kumar, CGC  
Mr. Abhijeet Kumar Singh, CGC

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**PRESENT : HON'BLE DR. JUSTICE S. N. PATHAK**

**C.A.V. ON 04.09.2023**

**PRONOUNCED ON : 15.01.2024**

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***Dr. S.N. Pathak, J.*** Prayer in all these writ petitions are diverse, may be overlapping in parts. However, the issues involved in all these writ petitions are similar and identical and as such they have been tagged together and are being heard and disposed of by this common Judgment.

## **PRAYERS:**

2. All these petitioners either have prayed for quashment of orders denying their regularization in service or for a direction upon the respondents to regularize their services, who are/were working continuously for more than ten years in their respective Offices/ Departments/University/Instrumentalities of the State, in the light of judgment passed by the Hon'ble Apex Court in case of **Narendra Kumar Tiwari & Ors. Vrs. State of Jharkhand & Ors.**, reported in (2018) 8 SCC 238, as also in view of the Regularization Policy framed by the Government of Jharkhand in the year 2015, amended in the year 2019.

## **THE FACTS.**

3. For the sake of brevity it would be apposite to narrate the brief facts of the case which has given rise to the present disputes. In most of the cases, the petitioners are appointed on daily wage basis / adhoc basis / contractual basis under the Government sector or its Instrumentalities / Universities against the sanctioned posts / unsanctioned posts. They were appointed on tenure basis, but their tenures were extended from time to time as per requirement of the Government. They are continuing in service for more than ten years without any complaint or misconduct. In some of the cases, even recommendation for regularization of their cases have been made by the head of the Departments/ Offices. It is further case of the petitioners that the claims of some of petitioners have been rejected by the respondents and the same are challenged in their respective writ petitions. Claiming that their appointments are irregular and not illegal, their cases ought to have been regularized since they are fulfilling the required conditions in view of legal propositions of law laid down by the Hon'ble Apex Court as well as in view of the Regularization Policy framed by the State Government.

## **ARGUMENTS ADVANCED ON BEHALF OF THE PETITIONERS**

4. Mr. Rajendra Krishna and Ms. Ritu Kumar, learned counsel appearing on behalf of petitioners submitted that the petitioners have been working continuously without any break right from the date of their appointment / engagement and as such, they have completed more than 10

years continuous service and the post held by the petitioners are perennial in nature, but the Department has been extending the contract of the petitioners from time to time without taking any step for filing up the said post in a regular manner either by means of regularization or absorption or otherwise, and as such, the petitioners are entitled for regularization of services. They further argued that some of the petitioners have come to know that the Department is contemplating to replace the petitioners by the persons to be engaged through another Agency against the settled principles of law that a temporary employee cannot be substituted /replaced by another set of contractual /temporary employee. The petitioners after serving the department for more than a decade have become overage and unsuitable for appointment on regular basis. It is further submitted that they have gained experience in the said department, which is ultimately beneficial for the respondent Departments itself and new appointees would have no such experience like that of the petitioners. Referring to the Regularization Policy of the Government, learned counsel submitted that without considering the fate of the people of the State of Jharkhand particularly of those who have been appointed in the State of Jharkhand after 15.11.2000, the scheme does not give any benefit to them rather the benefit has been extended only to those, who have been appointed prior to 15.11.2000, hence the scheme does not meet the object at least they could have fixed 13.02.2015 as the cut-off date, the date on which this notification was issued, then the benefits can be extended to all those persons who have been appointed after 15.11.2000 i.e., after coming into existence of State of Jharkhand, but the reason best known to the respondent authority, unreasonable cut-off date has been fixed without any nexus with the object to be achieved creating class within the class. The daily wager, contractual appointees, illegal appointees or irregular appointees constitute one class and for the purpose of regularization there cannot be any discrimination by fixing arbitrary cut-off date. They further submitted that in terms of the scheme of regularization of 2015, it is clear cut discrimination and by the said scheme, the benefit have been extended only to those who have been appointed by the then State of Bihar, but no benefit has been extended to the people of Jharkhand who have been appointed after creation of the State of

Jharkhand and they will never complete 10 years of service as per the scheme as on cutoff date. It is also been submitted that the petitioners have been working as a Data Entry Computer Operator and nature of their work is sensitive type which should ordinarily be done through regular employees of the department and the job is of such profile that it is necessary to employ considerable number of whole time Computer Data Operators.

5. Mr. Indrajit Sinha, learned counsel assisted by Mr. Vipul Poddar and Ms. Sugandha Jaiswal, learned counsel appearing for the petitioners in their respective writ petitions vociferously argues that Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (for short “MNREGA, 2005”), aims to guarantee the ‘right to work’. The main objective is to provide for enhancement of livelihood security of the households in rural areas of the Country by providing at least one hundred days of guaranteed wage employment in every financial year to every household whose adult members volunteer to do unskilled manual work and for matters connected therewith or incidental thereto. Therefore, the aforesaid Scheme as enacted by the Union of India is permanent in nature. The power of the State Government to frame a scheme at State Level is derived from Section-4 of the Act itself and the same will continue. Therefore, from the objective of the Act of 2005 it is clear that the employment scheme as framed is not for a particular time period rather it will remain permanent in nature. Thus, the guidelines as framed by the Hon’ble Supreme Court of India regarding regularization will be applicable in the employment guaranteed by Act of 2005. In this regard, reliance has been placed in case of **Narendra Kumar Tiwari (supra)**.

6. It has been further argued that mandate of Hon’ble Supreme Court has been blatantly violated by the respondent-State. It has been submitted that in the impugned orders the respondents have admitted that petitioners have been discharging the duties of those posts which are sanctioned posts and have been lying vacant. It has been pointed-out that para-10 of the aforesaid judgment comes to the rescue of the petitioner and nothing has been brought on record by the respondents regarding misconduct against

these petitioners for which a departmental action was taken or proposed to be taken against any of the petitioners. Further reliance was placed in the case of **Umadevi (supra)** wherein the Hon'ble Supreme Court has given two guidelines, i) to prevent irregular or illegal appointments in future and ii) to confer a benefit on those who had been irregularly appointed in the past. It has been argued that the facts of the case clearly indicates that the respondents have failed to honour both the aforesaid object and purpose of the judgment of the Hon'ble Supreme Court as they clearly have decided to continue with appointments through outsourcing agencies, which are not regular appointment and no benefit of the past service is intended to be given to those persons who have put in 10 or more years of service. Such action of the respondents cannot be countenanced and must be set at naught by this Hon'ble Court. Emphasis was led to para-7 of the judgment in case of **Narendra Kumar Tiwari (supra)** and it was argued that elaborately it has been discussed that how the judgment in case of **Umadevi(supra)** was being violated and various State Governments were using exploitative forms of employment and are defeating the very object and purpose of the judgment rendered by the Hon'ble Supreme Court in the case of **Umadevi (supra)**.

Further, reliance was placed in case of **Chander Mohan Negi & Ors. Vs. State of Himachal Pradesh & Ors.**, reported in **(2020) 5 SCC 732** and in case of **Babita Kumari & Ors. Vs. the State of Jharkhand & Ors. [W.P.(S). No. 4682 of 2021]** disposed of on **27.07.2022**. It was further argued that a decision impugned as contained in memo No. 1468 dated 13.09.2022 in the present petition be quashed and set aside and the State of Jharkhand be directed to regularize the services of the petitioners forthwith in the light of the judgment rendered by the Hon'ble Supreme Court of India in case of **Narendra Kumar Tiwari (supra)**.

7. Mr. Amritansh Vats, learned counsel representing the petitioners in **W.P.(S). Nos. 1021 of 2020 and 2942 of 2020** strenuously urged that State has not come with clean hands while considering the cases of petitioners and on hyper-technical grounds, the cases of temporary employees are being rejected declaring it as illegal appointments though the appointments

were made irregularly. Irregular employees can be regularized since the performance appraisal and engagement is not disputed or questioned. It has been further argued that if the work is being taken from the employees for years together without any complaint from any corner and if the State is in need of their services, their cases be considered for regularization on completion of 10 years of continuous and unblemished service career. Referring to the celebrated judgment of **Narendra Kumar Tiwary (supra)**, learned counsel argued that the same is not being considered in right perspective. The mechanism and the guidelines for regularization of irregular employees has been clearly dealt with in the case of **State of Karnataka Vs. Umadevi**, reported in (2006) 4 SCC 1 but the same has not been considered, rather, the State has not come-out with any specific policy decision and are rejecting the claims of the employees in whimsical manner. Learned counsel further argued that though no right has accrued to the employees to claim regularization but in terms of amended rules of regularization of the year 2019, they have right to be considered in true letter and spirit. They cannot be discriminated and the mandate of Articles 14 and 16 of the Constitution should be adhered to. The mandate of Article 14 of the Constitution should be complied in true sense. The scheme is floated as the part of beneficial legislation. Learned counsel for the petitioners places heavy reliance in the case of **Sheo Narain Nagar Vs. State of Uttar Pradesh**, reported in (2018) 13 SCC 432 and **Nihal Singh & Ors. Vs. State of Punjab & Ors.**, reported in (2014) 14 SCC 65.

8. Regarding contractual and temporary appointments and the issue of sanctioned and vacant post it has been argued that contractual/ temporary services can be checked whether there was Rules in place for the appointment to the said post or not and if there was no rules, then the appointments cannot be said to be illegal. Those appointments should be considered as irregular and must be considered for regularization. It has been further argued that in the case of **Narendra Kumar Tiwari (supra)** at paragraphs 30 to 45, the issue of regularization has been dealt with elaborately. Further, it has been argued that it is not permissible to the State to take a defense, after permitting utilization of the services of a large number of people like the petitioners for decades, to say that there are no

sanctioned post to absorb the petitioners.

9. Mr. Saurabh Shekhar, learned counsel for the petitioners in **W.P.(S). No. 1454 of 2022** assiduously argued that petitioners are doctors and hold the degrees of B.H.M.S. and further they are registered as Doctors with Jharkhand State AYUSH Medical Council. It has been argued that respondents have floated Advt. No. 07/2012 for appointment of AYUSH Medical Officers on contractual basis. The petitioners having the requisite qualifications have appeared in the recruitment process and successfully competed in the same. Thereafter, appointment letters were issued to them. Learned counsel further argued that respondent-Department came-up with the rules for Medical Cadre Contractual Appointees (Allopathic Doctors), being Regularization Rules of 2011. The conditions for regularization were that employee should have rendered 5 years of regular service as contractual employee and the educational qualification should be fulfilled. The service conditions of General Duty Medical and AYUSH Medical Doctors are to be treated at par. The petitioners have preferred representations through their Union/ Association but no decision has been taken on the point. Learned counsel further argued that petitioners are working continuously without any break and have rendered almost 10 years of unblemished service career and as such, their cases be considered for regularization. Mr. Saurabh Shekhar also appears in W.P.(S) No. 6304 of 2019.
10. Mr. Pratiush Lala, learned counsel appearing for the petitioners in **W.P.(S). No. 210 of 2023** has urged that present petitioners are claiming regularization on the post of Data Entry Operator and argued that petitioners joined the post of Computer Operator and thereafter worked for more than 10 years on the said post continuously and as such, in view of judgment rendered by the Hon'ble Apex Court in case of **Narendra Kumar Tiwari (supra)**, their services may be directed to be regularized.
11. Mr. Rakesh Kumar, learned counsel appearing for the petitioners in **W.P.(S). Nos. 2748 of 2022, 3121 of 2022, 3351 of 2022, 3473 of 2022, 5922 of 2022** assiduously argued that petitioners in the aforesaid cases are claiming regularization to the post of Driver / Peon since they are working

as daily wagers and have rendered more than 10 years but till date no decision with regard to regularization of their services have been taken by the respondents.

12. Mr. Saurav Arun, learned counsel appearing for the petitioners in **W.P.(S). Nos. 6269 of 2018, 1666 of 2019, 3122 of 2019, 3526 of 2019, 3242 of 2021 and 4972 of 2021** has strenuously argued that since petitioners have worked for more than 10 years and are receiving honorarium/ salary/ wages from the State Exchequer their services cannot be termed to be illegal. It has been argued that even if initial appointment was not against the sanctioned post that does not make the appointment illegal and the same cannot be rejected on account of qualification as qualification has already been augmented to by working for more than 10 years and gaining the experience equivalent to qualification as decided by the Hon'ble Court. If the services of contractual worker have been extended time and again, the person cannot be said to be illegal appointee for working against a sanctioned post or for persistent work for a decade, which may also be termed as uninterrupted service for a decade. It has been argued that since there is a change in working culture i.e. from pen to computer, people working for last ten years on the same footing, are entitled for regularization and they cannot be thrown away. The work of even contractual employees has to be considered on the basis of their performance and if it is found that they are regularly working they should be treated as working against sanctioned and vacant post. Learned counsel places heavy reliance on the aforesaid judgments cited by other counsel for the petitioners and adopts their arguments.

13. Ms. Shubha Jha, learned counsel appearing for the petitioners in **W.P.(S). Nos.4690 of 2022, 4737 of 2022 and 4741 of 2022**, argued that petitioners were engaged as daily wagers in the district of East Singhbhum against the sanctioned and vacant post of Drivers and Peons and they are having the requisite qualification for the said posts. Petitioners were engaged by the Deputy Commissioner, who is the competent Authority for appointment of Class-IV employees. Learned counsel further argues that the petitioners were working on the said post for more than 30 years without

any break and fulfills the criteria for regularization in terms of Regularization Rules, 2015. Earlier the petitioners had moved this Court in W.P.(S). No. 565 of 2002 along with similarly situated persons and a direction was given by this Court to the Deputy Commissioner to consider their cases. However, the same was never considered on the ground that till date no advertisement has been floated. Learned counsel adopts the arguments advanced by other counsel for the petitioners and submits that the recent judgment of **Narendra Kumar Tiwari (supra)** is a complete guideline for consideration of their cases for regularization, if the employees have completed more than 10 years of continuous service. It has been argued that guidelines should be framed by respondents taking into consideration the judgment of **Narendra Kumar Tiwari (supra)** and guidelines given thereto and in absence of the same, no orders of the State are tenable and as such, fit to be quashed and set aside. Learned counsel further argued that a direction be given to the respondent-State to come-out with a guideline for consideration of the cases of employees for their regularization who have completed more than 10 years of continuous service and are working till date and their service career was unblemished.

14. Other learned counsel appearing on behalf of the petitioners in their respective writ petitions adopted the arguments as advanced above.

#### **ARGUMENTS ADVANCED ON BEHALF OF THE RESPONDENTS**

15. Mr. Rajiv Ranjan, learned Advocate General and other Law Officers representing the State in other writ petitions passionately opposes the contentions of the learned counsel appearing for individual petitioners on factual aspect as well as on legal sides. A compilation giving each and every case of petitioners on factual sides has been filed. They contend that most of the petitioners are appointed on Daily wages / contractual basis / seasonal basis. Even in some of the cases, no letter of appointment has been brought on record. They are appointed on tenure basis and even their contracts are not renewed. If the contractual tenures are not extended, then it will be deemed as termination of their services. They have entered into service through backdoor and no due process for appointment was followed in engaging them in services. They are not appointed on sanctioned post.

Even in some of the cases, where appointment letters were brought on record, it does not seem to have been issued by the competent authority. Neither any reservation roster has been followed nor any recruitment process for appointment was followed. Even in some of the cases, the petitioners are not continuing in services since long. In some of the cases, the petitioners have no requisite qualification to get their services regularized. In some of the cases, the petitioners have not even worked for ten years.

16. Additionally, learned Advocate General points out that in W.P.(S) No. 3543 of 2020, the petitioner was appointed as daily wager and at the time of engagement, he was underage and even he is not the resident of the concerned district. His engagement was terminated by the Department. Similarly, in W.P.(S) No. 4413 of 2020, the petitioners were engaged by private agency i.e. Mukti Sansthan, Ranchi and Srijan Mahila Vikas Manch, Chakradhrpur. He further refers W.P.(S) No. 1548 of 2021 to contend that the petitioner is unauthorizely absent since 2011 and his educational qualification is only 7<sup>th</sup> pass. Considering such situation, the Department rejected the claims of the petitioner for regularization. In W.P.(S) No. 4690 of 2022, W.P.(S) No. 5775 of 2022, W.P.(S) No. 5922 of 2022, the petitioners were appointed as Computer Operator under MGNREGA scheme and they are not entitled for regularization as they were engaged through outsourcing.
17. On legal points, learned Advocate General refers several judgments delivered by the Hon'ble Apex Court as well as High Courts. Referring to the judgment in the case of *Uma Devi*, learned Advocate General submits that regularization cannot be said to be a mode of recruitment and it does mean permanence in service. Citing the judgment in the case of *S. Narayana Vs. Md. Ahmedulla Khan & Ors.* (2006) 10 SCC 84, it was contended that regularization does not connote permanence and cannot be construed so as to convey an idea of the nature of tenure of appointments. Regularizations are termed calculated to condone any procedural irregularities and are meant to cure only such defects as are attributable to methodology followed in making the appointments and even this Court

emphasized that when rules framed under Article 309 of the Constitution are in force, no regularization is permissible in exercise of the executive powers of the Government under Article 162 thereof in contravention of the rules.

18. On the point of contractual appointment, learned Advocate General refers the judgment in the case of *Director, Institute of Management Development U.P. Vs. Pushpa Srivastava*, (1992) 4 SCC 33 to contend that when appointment is made on contract and ad hoc basis on consolidated pay for a fixed period, it cannot be terminated without notice and when the appointment came to an end by efflux of time, the appointee had no right to continue in the post and to claim regularization in service in the absence of any rule providing for regularization after the period of service. Further the learned Advocate General refers the judgment in the case of *Madhyamik Shiksha Parishad, U.P. Vs. Anil Kumar Mishra*, (2005) 5 SCC 122 to contend that ad hoc appointees / temporary employees engaged on adhoc basis and paid on piece-rate basis cannot claim for regularization and their engagement comes to an end on completion of the work or project. Referring to the judgment in the case of *State of H.P. Vs. Suresh Kumar Verma*, reported in (1996) 7 SCC 562, learned Advocate General submitted that contractual appointment comes to an end at the end of the contract. Services of Daily wagers or casual basis employees would come to an end when it is discontinued. Temporary employee cannot claim permanence and merely because a temporary employee or a casual wage worker has continued for a time beyond the term of his appointment, they are not entitled for regularization. He further refers the judgment in the case of *Accounts Officers (A&I), A.P. SRTC Vs. P. Chandra Sekhra Rao*, (2006) 7 SCC 488; *Gurbachan Lal Vs. Regional Engg College* (2007) 11 SCC 102, *State of Karnataka & Ors Vs. G.V. Chandrashekhar* (2009) 4 SCC 342, *Sheo Narain Nagar & Anr. Vs. State of Uttar Pradesh & Ors* (2018) 13 SCC 432; *Raj Balam Prasad & Ors. Vs. State of Bihar & ors* (2018) 12 SCC 50; and *Ashok Kumar & Ors Vs. the CMD Chairman, JUVNL & Ors* 2018 SCC OnLine Jhar 749 to argue that no regularization of contractual appointment can be permissible and scheme based contractual / adhoc appointment cannot be regularized.

Tenure based appointments, extended from time to time are not entitled for regularization particularly when their tenure comes to an end / terminated.

19. On the point of illegal / irregular appointments, Mr. Rajiv Ranjan, learned Advocate General places heavy reliance on the judgments of the Hon'ble Supreme Court of India. Referring to the ratio in the case of *Ashwani Kumar Vs. State of Bihar*, (1997) 2 SCC 1, learned Advocate General argues that if the appointment is made initially in unauthorized manner and is not against any sanctioned vacancy, question of regularization does not arise as against non-existing vacancy and all recruitments bye-passing the procedure known to law is illegal and cannot be cured. To contend that appointment made in contravention of mandatory provisions of the Act and statutory rules framed thereunder and by ignoring essential qualifications would be illegal and cannot be regularized by the State and illegality cannot be regularized, he refers the judgment in the case of *Umarani Vs. Registrar, Coop. Societies*, (2004) 7 SCC 112. He further refers the judgment in the case of *Municipal Corporation, Jabalpur Vs. Om Prakash Dubey*, (2007) 1 SCC 373 to submit that appointments made in total disregard of the constitutional schemes, recruitment rules would be an illegal one and the same is itself in infraction of the rules or if it is in violation of the provisions of the Constitution would be illegal. Placing reliance in the case of *National Fertilizers Ltd Vs. Somvir Singh*, (2006) 5 SCC 494, learned Advocate General contended that appointment made only on the basis of application without following the constitutional rights and without constitution of the selection committee would be illegal and cannot be regularized. In furtherance of his argument, he refers the judgment in the case of *Nagendra Chandra & Ors. Vs. State of Jharkhand & Ors.*, (2008) 1 SCC 798 and *Bishwanath Das & Ors. Vs. State of Jharkhand & Ors.*, (2015) 15 SCC 422 to assert that any appointment made in violation of rules, without advertisement, without displaying the vacancies on notice board is not only in infraction of rules, but the same is also in violation of Articles 14 and 16 of the Constitution which renders illegal appointment. The Hon'ble Supreme Court in the case of *State of Tamil Nadu Vs. A. Singamuthu*, (2017) 4 SCC 113 held that adhoc / part time continuance for

long cannot be entitled to regularization. Referring to the cases of *Sintu Poddar & Anr. Vs. State of Jharkhand & ors.*, (2017) SCC OnLine Jhar 4186; *State of Orissa Vs. Mamata Mohanty* (2011) 3 SCC 436 and *Vibhuti Shankat Pandey Vs. State of Madhya Pradesh & Ors*, (2023) 3 SCC 639, it was contended that the employees appointed without following the rules of Government, no advertisement, not facing any interview, no selection committee and backdoor entry are not permitted to be regularized. Appointment not done by competent authority nor against the sanctioned post is illegal. To sum up, learned Advocate General submits that the appointments made against the unsanctioned post, infraction of statutory rules, not going through competition of selection process, no advertisement, only on the basis of single application, backdoor entry, based on forged documents and against the constitutional scheme of Articles 14 and 16 are the illegal appointments and such illegal appointments cannot be permitted to be regularized at the cost of the State Exchequer.

20. The next arguments of learned Advocate General are that there are binding precedent of the constitutional scheme on the Courts and in support of his contention, he refers the judgment in the case of *Official Liquidator Vs. Dayanand & Ors*, (2008) 1 SCC 1 and submits that in some cases, the High Courts have gone to the extent of ignoring the law laid down by this Court without any tangible reason. Likewise, there have been instances in which smaller Benches of this Court have either ignored or bypassed the ratio of the judgments of the larger Benches including the Constitutional Benches. These cases are illustrative of non-adherence to the rule of judicial discipline which is *sina qua non* for sustaining the system. In the case of *State of Karnataka & Ors. Vs. M.K. Kesari & Ors.*, (2010) 9 SCC 247, it has been clearly held that one time measure was elaborated in para-53 of the Uma Devi's case to regularize the services of employees who have put in more than ten years of continuous service without the protection of any interim orders of courts or tribunals before the date of decision in **Uma Devi** was rendered i.e. as on 10.4.2006. He further refers the judgment in the case of *State of Jammu Kashmir & Ors. Vs. District Bar Association, Bandipora*, (2017) 3 SCC 410 to contend

that High Court proceeded to issue directions for regularization without considering either the legal position enunciated in the judgments of this Court referred to above and without considering the prevailing rules and regulations on the subject. To contend that employment secured through fake or forged documents is irregular appointment and their services cannot be regularized, he refers the judgment in the case of ***State of Bihar & Ors Vs. Kirti Narayan Prasad, (2019) 13 SCC 250.***

21. In furtherance of his arguments, learned Advocate General submits that the post of Anganbari workers are not statutory posts. They have been created in terms of the scheme. Recruitment rules ordinarily applicable to the employees of the State are not applicable in their cases and their recruitment process is not governed by any Statute. Since the posts of Anganbari workers are not created by State Government or Central Government, they are not entitled for regularization. To fortify this contention, he places reliance of the judgment in the case of ***State of Karnataka Vs. Ameerbi & Ors. (2007) 11 SCC 681.*** He further submits that likewise the posts of Home Guards and Para-Teachers are not entitled for regularization and to fortify this contention, he cites the judgment in the cases of ***Grah Rakshak, Home Guards Welfare Association Vs. State of Himachal Pradesh & Ors., (2015) 6 SCC 247*** and State of ***Uttar Pradesh & Anr. Vs. Anand Kumar Yadav & Ors., reported in (2018) 13 SCC 560*** respectively.

22. Learned Advocate General further submits that all appointments have been made without following the procedure, or if services of some persons so appointed have been regularized in the past, is not the ground on which regularization shall be granted. If illegality has been committed in the past, then such illegality cannot be allowed to perpetuate. Article 14 has a positive concept. No equality can be claimed in illegality. Article 14 has no application or justification to legitimize an illegal and illegitimate action. He further submits that the Hon'ble Constitution Bench in ***Uma Devi's*** case (*supra*), in unequivocal words has cautioned the government as well as courts not to make the Regularization as one of the mode of recruiting the employees in defiance of all rules and

constitutional scheme.

23. In view of the legal propositions enunciated by the Hon'ble Apex Court referred to above coupled with the Regularization Policy of the Jharkhand Government, the claims of each and every petitioner for regularization of their services are not tenable as they are not covered under the Jharkhand Service Regularization Rules 2015 as amended in 2019 and they did not fulfill the criteria of the rules and as such regularization of their services was denied.

#### **FINDINGS OF THE COURT:**

24. Before delving deep into the matters, I would like to enunciate the consent of Regularization in following terms.
25. The concept of Regularization of services is a means to condone any procedural irregularity and is meant to cure only such defects which are attributable to concepts followed while making appointments. Regularization and permanence in employments/appointments are mutually exclusive concepts and, thus cannot be equated on the same pedestal. But it is a well settled law that Regularization is not a mode of appointment and it can be done on the basis of instructions/circulars/policies as per the observations of Hon'ble Supreme Court in the case of *State of Mysore v. S.B. Narayanappa*, 1967 SCR 128 as well as *R.N. Nanjundappa v. T. Thimmiah and Ors.*, 1972 SLR 1994.
26. The recruitment process is often delayed on various counts, the foremost reasons being challenge to the advertisement or the criteria adopted for selection. The delay in the selection process ultimately leads to delay in the appointment of requisite regular manpower in the department sending the requisition. In order to overcome such situations, Government issues executive instructions either by invoking Article 162 of the Constitution of India or the proviso to Article 309 of the Constitution of India thereby, authorising the Head of the departments to make adhoc arrangements generally for a period of 6 months or till the time regularly selected candidates join, whichever is earlier. These adhoc appointments then are extended from time to time on account of delay in recruitment of candidates to be selected after following proper recruitment procedures. The

adhoc arrangement sometimes continue for years altogether on account of delay in the recruitment of regular candidates. Since the employees are recruited only on ad hoc basis, the person so recruited may or may not possess the requisite qualification prescribed in the service rules and in this process many a times, adhoc appointee become overage, to participate in the recruitment process. Thus, to remove these irregularities, regularisation policies are framed by the Government by issuing administrative instructions under Article 162 of Constitution of India wherein such candidates who are working either on contract or daily wage or adhoc basis against the sanctioned posts which were initially recruited, are taken out of the purview of the recruitment agency and upon completion of specified number of years upto a particular cut-off date, services of such adhoc/contractual/daily wages employees are regularized subject to certain terms and conditions.

27. Though the practice of engaging the employees on temporary basis and after some time regularising their services has been held bad in law, yet more often the government departments allow to continue the daily wage/contract/adhoc appointees and the recent trends have seen that the government tendency to recruit on contractual basis has increased manifold in the past few years. The adhoc/contract/daily wage employees are generally paid less wages or only the minimum of the regular pay scale as against the salary and other allowances that are paid to the regular government employees such as HRA/DA/fixed medical allowance, LTC, pension. The expenses saved on these accounts are treated as earned revenue and appears to be more economical, despite it all being contrary to the concept of Welfare State.

28. It is pertinent to mention that the Hon'ble Supreme Court came to the rescue of such daily wager/contractual/ad hoc employees while deciding *State of Punjab v. Jagjit Singh*, Civil Appeal No. 213 of 2013 reported as (2016) 4 SCC 641, wherein the Hon'ble Court ordered to pay the wages equivalent to minimum regular pay scale to such employees. The financial burden on the government is further curtailed by way of such appointments as the government is saved from implementing the

recommendations of the pay commission as far as these adhoc/contract/daily wages/work charged employees are concerned as they are precluded from such benefit and only regular employees are conferred the benefit of due and drawn amount of arrears on account of implementation of the pay revision commission.

29. Apart from the above, from time to time, government also considers that it is easy to hire and fire the daily wage/ contractual/ adhoc/ work charge employees as compared to the regular staff who are being governed by the specific rules and regulations and enjoy the protection of article 311 of the Constitution of India, as the removal of the regular employees, is cumbersome and the procedure takes years to conclude and ultimately, majority of cases fall flat on account of sympathetic attitude of co-employee as well as of disciplinary authority.

30. As it is said that each coin has two sides, likewise with the adhoc employment which is continued for years altogether, that too in the government sector, often leads to the rising expectation of employees to get the status of regular employee and to enjoy the benefits that are available to them.

31. It would be no gainsaying that for the first time there seem a ray of hope, when the Hon'ble Supreme Court in *State of Karnataka v. Uma Devi 2006 (4) SCC 1*, though recognized the right of the government to recruit the employees on temporary basis, however at the same time cautioned that such engagements cannot be resorted to defeat the very scheme of public employment. The Hon'ble Court observed that the consideration of equity in such cases has only limited role to play and cautioned the courts as well that approving such acts on basis of sentiments and sympathetic approach would result in perpetuating illegalities and in the jettisoning of the scheme of public employment and would also deprive many of their opportunity to compete for public employment. While discussing the law regarding regularisation in detail, the Hon'ble Supreme Court directed the Governments to take steps to regularise as a onetime measure, the services of such irregularly appointed, who have worked for ten years or more years against sanctioned posts but not under cover of

orders of courts or of tribunals and further directed then to ensure that regular recruitments are undertaken to fill those vacant sanctioned posts that require to be filled up, in cases where temporary employees or daily wagers are being now employed. However, even today the governments are formulating regularisation policies and the Courts are granting the benefits of regularisation on the parity basis.

32. In pursuant to the order dated 27.06.2023 this Court after having heard the parties at length framed the following issues for consideration of the cases of regularization, which are as under:-

- (i) *Whether the respondent-State has taken care of its own policy decision of regularization framed on 13.02.2015 as amended on 20.06.2019?*
- (ii) *Whether while taking decision on the point of regularization, the relevant paragraphs of Narendra Kumar Tiwary [2023 (1) JBCJ 501], as stated above, are being considered or not by the respondent-authorities?*
- (iii) *Whether any right has accrued to the employees appointed on contract/ temporary/ ad hoc basis, for regularization, merely because they are in service of respondents for more than 10 years?*
- (iv) *If initial appointment was not made by the competent authority and not against the sanctioned and vacant post, whether the employees are entitled for regularization or not in such cases?*

33. Thereafter, the present batch of matters were heard and learned counsel for the individual petitioners have presented their cases before the Court and the respondent-State was represented by learned Advocate General and other Law Officers.

34. Having heard the learned counsel for the parties and upon perusal of the records, this Court is of the considered view that while considering the cases of regularization of their employees, the State has not come-out with clean hands. After repeated directions of this Court, a Regularization Scheme was framed by the State i.e. Regularization Rules, 2015 and Amended Rules, 2019. Thereafter, several cases of regularization has been turned-down and several cases have not yet been considered. The consideration shown by the State is not in consonance with the guidelines and directions given by the Hon'ble Supreme Court. Even their own

guidelines and Regularization Policies of 2015 and 2019 have not been considered in true letter and spirit. Though the State has come-out with amended Regularization Policy in the year 2019 in view of direction given by the Hon'ble Supreme Court in the case **Narendra Kumar Tiwari (supra)**, what it transpires that the cases of the employees for regularization have been considered in a most mechanical manner. Earlier, the issue fell for consideration before this Court in the case of **Narendra Kumar Tiwari & Ors. Vs. State of Jharkhand & Ors. [W.P.(S). No. 6347 of 2018 and other analogous cases]** and vide judgment dated 22.12.2022, a specific direction was given to the respondent-State to consider the cases of petitioners. The relevant paras of the said judgments reads as under:

*“31. The Hon’ble Apex Court was very much aware that these petitioners working continuously for more than ten years, claiming regularisation on the ground that their initial appointments were never challenged rather they continued to work for several years and many of them are at the verge of retirement and in some of the case they have crossed their age of retirement, which clearly speaks that they were allowed to continue on the said posts because the State was in need of their services. Once the State is in need of services and employees are allowed to continue on the said posts, plea is not with the respondents to come with a finding that their appointments were illegal. Time and again the Hon’ble Apex Court has said that if the appointments are irregular, they can be considered for regularisation. These appointments were never illegal rather by flux of time they ought to have been regularised as their appointments were irregular and not illegal. The respondents ought to have considered the observation of the Hon’ble Apex Court in the case of **Narendra Kumar Tiwari Vs. State of Jharkhand, reported in (2018) 8 SCC 238**, wherein it has been held thus:-*

*“8. If a strict and literal interpretation, forgetting the spirit of the decision of the Constitution Bench in Umadevi (3) [State of Karnataka v. Umadevi (3), (2006) 4 SCC 1 : 2006 SCC (L&S) 753] , is to be taken into consideration then no irregularly appointed employee of the State of Jharkhand could ever be regularised since that State came into existence only on 15-11-2000 and the cut-off date was fixed as 10-4-2006. In other words, in this manner the pernicious practice of indefinitely continuing irregularly appointed employees would be perpetuated contrary to the intent of the Constitution Bench.*

*9. The High Court as well as the State of Jharkhand ought to have considered the entire issue in a contextual perspective and not only from the point of view of the interest of the State, financial or otherwise — the interest of the employees is also required to be kept in mind. What has eventually been achieved by the State of Jharkhand is to short circuit the process of regular appointments and instead make appointments on an irregular basis. This is hardly good governance.*

*10. Under the circumstances, we are of the view that the Regularisation Rules must be given a pragmatic interpretation and the appellants, if they have completed 10 years of service on the date of promulgation of the Regularisation Rules, ought to be given the benefit of the service rendered by them. If they have completed 10 years of service they should be regularised unless there is some valid objection to their regularisation like misconduct, etc.*

**32.** *The cases regarding regularisation of the Computer Operators fell for consideration before this Court in W.P.(S) No. 4682 of 2021 [Babita Kumari and others Vs. The State of Jharkhand and others], and this Court, disposed of the same after considering celebrated Judgment of the Hon'ble Apex Court in the case of Hargurpratap Singh Vs. State of Punjab & Ors., reported in (2007) 13 SCC 292. Relevant paragraph of the said Judgment reads as under:-*

*“3. We have carefully looked into the judgment of the High Court and other pleadings that have been put forth before this Court. It is clear that though the appellants may not be entitled to regular appointment as such it cannot be said that they will not be entitled to the minimum of the pay-scale nor that they should not be continued till regular incumbents are appointed. The course adopted by the High Court is to displace one ad hoc arrangement by another ad hoc arrangement which is not at all appropriate for these persons who have gained experience which will be more beneficial and useful to the colleges concerned rather than to appoint persons afresh on ad hoc basis. Therefore, we set aside the orders made by the High Court to the extent the same deny the claim of the appellants of minimum pay scale and continuation in service till regular incumbents are appointed. We direct that they shall be continued in service till regular appointments are made on minimum of the pay scale. The appeals shall stand allowed in part accordingly.”*

**33.** *Further, similar view was also taken by the Hon'ble Delhi High Court in case of Narinder Singh Ahuja & Ors. Vs. the Secretary, Ministry of Health & Family Welfare & Ors., reported in (2014) 146 DRJ 167, wherein the Hon'ble Court has held as under:-*

*“15. In the opinion of this Court, since the respondents*

*nowhere dispute that there is need for the performance of the work that the petitioners were discharging all along and there is also no dispute that the project and funding (for the project) would continue till 2017, the decision to discontinue the petitioners' engagement is based only on the policy to outsource the contractual employment to a third party. The petitioners are not insisting on regularization, given the nature of the employment or engagement, which is project based. However apart from the decision to outsource" engagement of contract employment to a third agency, there is no rationale to discontinue the petitioners' contracts. The justification that the employees engaged through the contractor are paid lower wages is arbitrary, because the "outsourced" or outsourcing agency would have to be paid its service charges. The lower wages paid, therefore, is, in effect, because of the charges/fees paid to the contractor/outsourced agency. The facts of this case clearly reveal that even though the work is to be performed by contractual employees, the reason for discontinuance of the petitioners employment is not their replacement with regular appointees, but instead, with another set of contractual employees. The state/respondents cannot, in the circumstances of this case, say that discontinuance of such employment cannot be gone into by the Court because the petitioners were aware that their contracts ended."*

34. Similar issue fell for consideration before this Court also in case of **Pankaj Kumar & Anr. Vs. The State of Jharkhand** in W.P.(S) No.6524/2017 and this Court vide order dated 18.01.2018 reiterated the same as has been held by the Hon'ble Apex Court.

35. Earlier in several cases this Court issued a clear direction upon the respondent-State to stop the practice of contractual appointments in the State of Jharkhand and State was directed to go for regular appointment, but it appears that no heed has been paid to the directions of this Court. Admittedly, the policy decision of the State is seldom interfered by the Court, sitting under Article 226 of the Constitution of India, but wherever it appears that policy decision of the State is not consonance with the Rules, illegal and arbitrary, the Court is compelled to interfere.

36. Considering other aspects of the matter and taking into consideration that the respondents are in need of their services and, therefore, they have been allowed to continue for long years, their cases cannot be turned down and as such a direction was given to take a fresh decision for regularization of their services in view of observations made in the case of **Narendra Kumar Tiwari (Supra)** and also for extension of their contract period till regular appointments are made. The cases of these petitioners have been turned down without making any reference of the observations of the Hon'ble Apex Court in the case of **Narendra Kumar Tiwari (Supra)**. It was incumbent upon the respondents to consider their cases and come out with a specific observation that all these petitioners cannot be considered for regularization since they are charged of misconduct and other valid objections. From bare perusal of the

*impugned order the grounds which have been raised are not at all tenable in the eyes of law. The petitioners have completed ten years' of service on the date of promulgation of regularization rules. It is binding upon the respondents to give benefits of service rendered by them by regularizing their services. In absence of any valid rules, at the time of their appointment, their services cannot be said to be violative of any service rules and termed to be illegal.*

37. *In the case of Sheo Narain Nagar Vs. State of Uttar Pradesh reported in (2018) 13 SC 432, this factum has clearly been decided. The objective of the Judgment rendered by the Hon'ble Supreme Court in the case of Uma Devi (Supra) has not been followed rather used to defeat the very purpose of regularization. The contention of the petitioners have not been met with by the respondents and only a formal denial has been made which clearly envisaged that just to frustrate their claim, plea of Article 14 of the Constitution of India has been taken. Regarding sanction of posts and advertisement for appointment, the issue has already been answered by the Hon'ble Apex Court in the case of Nihal Singh and Others vs. State of Punjab and Others (2013) 14 SCC 65. Para-20 of the said Judgment reads as under:*

*"20. But we do not see any justification for the State to take a defence that after permitting the utilisation of the services of a large number of people like the appellants for decades to say that there are no sanctioned posts to absorb the appellants. Sanctioned posts do not fall from heaven. The State has to create them by a conscious choice on the basis of some rational assessment of the need."*

*Since the appointments are being made to fill-up gap by the outsourcing agency, it can safely be considered that hefty sums of money through the outsourcing agency for performance of the duties is being spent and the Government is undertaking the financial burden for discharge of functioning in case of Computer Data Entry Operators and hence the stand of financial burden on the State Government is not praised rather fit to be turned down and not accepted.*

38. *The Hon'ble Apex Court recently in the case of State of Gujarat and others Vs. R.J. Pathan and others reported in 2022 SCC OnLine SC 354 has observed in Para-19 which reads as under:*

*"19. Even in the case of Narendra Kumar Tiwari (supra) also, it was a case of irregularly appointed employees. Even otherwise, in view of the facts and circumstances of Narendra Kumar Tiwari (supra), the said decision shall not be applicable to the facts of the case on hand. The case before this Court was with respect to the employees working with the State of Jharkhand which was created only on 15.11.2000 and therefore it was contended on behalf of the irregularly appointed employees that no one could have completed ten years of service with the State of Jharkhand on the cut-off date of 10.04.2006, which was the cut-off date fixed under the relevant rules of the State of Jharkhand.*

*The Hon'ble Apex Court observed that case of Narendra Kumar*

*Tiwari (supra) was a case of irregular appointment and not illegal appointment. Such observations are binding upon all concerned in terms of Article 141 of the Constitution of India and it clearly gives a message that the State of Jharkhand has erred in holding contrary to the provisions.*

39. In the case of **Manish Gupta and another Vs. President, Jan Bhagidari Samiti and others** reported in 2022 SCC OnLine SC 485, it has been observed in para-12 as under:

“12. ... ... ... It is settled principle of law that an ad hoc employee cannot be replaced by another ad-hoc employee and he can be replaced only by another candidate who is regularly appointed by following a regular procedure prescribed. Reliance in this respect can be placed on the Judgment of this Court in the case of **Rattan Lal V. State of Haryana [(1985) 4 SCC 43]** and on the order of this Court in the case of **Hargurpratap Singh v. State of Punjab [(2007) 13 SCC 292].**”

*From aforesaid observations of the Hon'ble Apex Court as well as of this Court in different cases, it can comfortably be said that if petitioners are continuing to work for more than ten years without any objection and the respondents – State is in need of their work, they cannot be replaced by another set of employees solely on the ground that they were not appointed against sanctioned posts without any advertisement.*

40. In plethora of Judgments, some of them have already been cited hereinabove, the law has been laid down and clear-cut observation has been made for consideration of cases of the petitioners in light of observations made by the Hon'ble Apex Court in the case of **Narendra Kumar Tiwari (supra).** The State having failed to do so, is hereby directed to consider cases of the petitioners in view of aforesaid view, as expressed in the case of **Narendra Kumar Tiwari (supra).**

41. Let it be made clear that enough is enough. The directions of the Court have not been taken into consideration by the respondents in right perspective rather the State has failed to appreciate the legal proposition and as such the respondent authorities are directed to examine individual cases taking into consideration the order passed by the Hon'ble Apex Court in the case of **Narendra Kumar Tiwari (Supra)**, particularly paragraph-10 thereof and after examining individual cases, if it is found that there is no any other legal impediments, shall consider their individual cases for regularization in accordance with law and pass an order to that effect within a period of sixteen weeks from the date of receipt/ production of a copy of this order. Needless to say, the employees who have worked for more than ten years and have retired during pendency of the writ petition and their cases were turned down on the aforesaid plea of the respondents, their cases also need to be considered from retrospective dates and if they have rendered for more than ten years of unblemished services, the order of regularization should also be

*passed in their cases too along with consequential benefits in accordance with law.*

42. *The aforesaid issues have been duly considered and accordingly answered in the case of **Sheo Narain Nagar and others Vs. State of Uttar Pradesh and Others** reported in (2018) 13 SCC 432. The Hon'ble Court was very conscious and aware of the fact that “the employment cannot be on exploitative terms, whereas Judgment passed in the case of State of Karnataka Vs. Umadevi (3) reported in (2006) 4 SCC 1 laid down that there should not be back door entry and every post should be filled by regular employment, but a new device has been adopted for making appointment on payment of paltry system on contract/ adhoc basis or otherwise. This kind of action is not permissible when we consider the pith and substance of true spirit in the case of Umadevi (Supra)”. None of the instant cases are the case of backdoor entry. At that very point of time there were no rules in place of offering such appointments. Thus appointments cannot be said to be illegal and in contravention of the rules as there were no such rules available at the relevant point of time.*
43. *In view of discussions and interpretations made in the case of **Sheo Narain Nagar and others (Supra)** this Court is also of the view that the petitioners herein are required to be appointed on regular basis as a one-time measure in view of paragraph-53 of the Judgment passed in the case of **Umadevi (Supra)** as also in view of the fact that they have completed more than ten years of service and as such their cases be considered for regularization and in their cases also a clear-cut order be passed for regularization of their services with all consequential benefits and arrears of pay within a stipulated period i.e. sixteen weeks from the date of receipt/ production of a copy of this order be paid to them.”*
35. Thereafter, a direction was issued to consider the cases for regularization but till date no order has been passed on one ground or the other which are not accepted to this Court. Learned Advocate General has tried to impress this Court by citing several judgments in course of his arguments that regularization cannot be claimed as a matter of right and any case of regularization has to be considered if the employees are working against sanctioned and vacant post.
36. The arguments advanced by learned Advocate General is totally mechanical. All these aspects have already been considered by this Court as well as by the Hon'ble Apex Court. There was a clear-cut direction after taking into consideration the Regularization Rules, 2015 but the State never endeavor to come with a guideline in view of the direction of the Hon'ble Apex Court as well as of this Court. The amended Rules for Regularization

of 2019 is also not a guideline for consideration of the individual cases, rather, it appears that just to fulfill the quorum, the said Rule has been amended, which was only regarding interpretation of 10 years of continuous service. For better appreciation para-10 of the judgment passed in the **Narendra Kumar Tiwari & Ors. Vrs. State of Jharkhand & Ors.**, reported in **(2018) 8 SCC 238** has to be seen, which reads as under:

*"10. Under the circumstances, we are of the view that the Regularisation Rules must be given a pragmatic interpretation and the appellants, if they have completed 10 years of service on the date of promulgation of the Regularisation Rules, ought to be given the benefit of the service rendered by them. If they have completed 10 years of service they should be regularised unless there is some valid objection to their regularisation like misconduct, etc.*

37. Thereafter, upon direction of the Hon'ble Supreme Court in the aforesaid case, the respondent-State has come-out with Amended Rule for Regularization, 2019. In para-12 of the judgment of **Narendra Kumar Tiwari & Ors. Vrs. State of Jharkhand & Ors.**, reported in **(2018) 8 SCC 238**, it was clearly held that, *it would be worthwhile for the State of Jharkhand to henceforth consider making regular appointment*". But to utter dismay and surprise, the State of Jharkhand is still continuing with the adhoc and contractual appointments and the directions and guidelines of the Hon'ble Apex Court has been given a complete go-bye. Learned Advocate General representing the State has not even whispered as to whether any consideration has been shown to the guidelines and directions of the Hon'ble Apex Court or not. The employees who have worked for years together completing more than 10 years of services and in some cases, they are at the verge of their retirement, they have been denied/ deprived of their pensionery benefits just because of the callous approach of the respondent-State.
38. Under such circumstances, this Court is of the view that State should rise from deep slumber and come-out with a specific Guideline/ Scheme for consideration of the cases of their own employees, who are on roads because of the lackadaisical and lethargic approach of the State.
39. This Court earlier in **W.P.(S). No. 1820 of 2017** and other analogous cases directed the State for constitution of a High Powered

Committee for resolving the disputes before the employee knocks the door of this Court. Though the matter was regarding pay anomaly which at the first instance has to be considered by the respondent-State i.e. by the High Powered Committee, the same view is reiterated here. It would be apposite and in the interest of justice to direct the State Government to constitute a High Powered Committee to look into the matter of regularization of the individual petitioners, in view of the judgment rendered by the Hon'ble Apex Court in the case of ***Mahanagar Telephone Nigam Ltd. Vs. Chairman, Central Board, Direct Taxes and Another*** reported in (2004) 6 SCC 431. Para-8 of the said judgment reads as under:

*“Undoubtedly, the right to enforce a right in a Court of law cannot be effaced. However, it must be remembered that Courts are overburdened with a large number of cases. The majority of such cases pertain to Government Departments and/or Public Sector Undertakings. As is stated in Chief Conservator of Forests' case (*supra*) it was not contemplated by the framers of the Constitution or C.P.C. that two departments of a State or Union of India and/or a department of the Government and a Public Sector Undertaking fight a litigation in a Court of law. Such a course is detrimental to public interest as it entails avoidable wastage of public money and time. These are all limbs of the Government and must act in co-ordination and not confrontation. The mechanism set up by this Court is not as suggested by Mr. Andhyarujina only to conciliate between the Government Departments. It is also set up for purposes of ensuring that frivolous disputes do not come before Courts without clearance from the High Powered Committee. If it can, the High Powered Committee will resolve the dispute. If the dispute is not resolved the Committee would undoubtedly give clearance. However there could also be frivolous litigation proposed by a department of the Government or a Public Sector Undertaking. This could be prevented by the High Powered Committee. In such cases there is no question of resolving the dispute. The Committee only has to refuse permission to litigate. No right of the Department/Public Sector Undertaking is affected in such a case. The litigation being of a frivolous nature must not be brought to Court. To be remembered that in almost all cases one or the other party will not be happy with the decision of the High Powered Committee. The dissatisfied party will always claim that its rights are affected, when in fact, no right is affected. The Committee is constituted of highly placed officers of the Government, who do not have an interest in the dispute, it is thus expected that their decision will be fair and honest. Even*

*if the Department/Public Sector Undertaking finds the decision unpalatable, discipline requires that they abide by it. Otherwise the whole purpose of this exercise will be lost and every party against whom the decision is given will claim that they have been wronged and that their rights are affected. This should not be allowed to be done.”*

40. Since the matter relates to regularization of the services, it would be expedient in the interest of justice to refer all these matters before the concerned Department. If a Scheme/Guideline is framed taking into consideration the directions of the Hon’ble Apex Court in the case of ***Uma Devi (supra), M.L. Keshri (supra)*** and ***Narendra Kumar Tiwari (supra)*** coupled with the Regularization Policy framed by the Government of Jharkhand in the year 2015 and amended in 2019, it must resolve the issue of regularization which has taken shape of ‘*Raktbija Rakshas*’ (*a mythological demon which was immortal*). The Court cannot issue writ of mandamus for regularization of the services of petitioners since it is the policy decision of the State but definitely it cannot shut its eyes if the poor employees are forced to come on roads because of absence of any specific guidelines/ policy decision of the State.
41. In the facts of the case, the impugned orders passed in the respective writ petitions denying / rejecting the claim of individual petitioners are hereby quashed and set aside, details of which are given in tabular chart:-

Memo / Letter No. with date	W.P. (S) No.
Memo No. 2414 dated 20.11.2019	1021 of 2020
Memo No. 2149 dated 31.12.2013	7536 of 2017
Letter No. 525 dated 26.8.2016	4048 of 2018
Letter dated 6.11.2018	6261 of 2018
Letter dated 12.3.2018	6269 of 2018
Memo No. 19M(21)/88 dated 28.3.2017 and Memo No. 19 M (21) 1992-3678 dated 9.10.2018	6405 of 2018
Memo No. 740 dated 20.12.2018	1088 of 2019
Letter dated 10.1.2019	1359 of 2019
Letter dated 28.2.2019	1666 of 2019
Memo No. 1303 dated 7.5.2019	3122 of 2019
Letter dated 30.10.2018	3526 of 2019
Memo No. 389 dated 16.5.2019	3965 of 2019
Memo No. 1896 dated 23.7.2019	4852 of 2019

Memo No. 3604 dated 27.8.2015	2715 of 2020
Memo No. 239 dated 30.1.2019	2794 of 2020
Memo No. 267 dated 22.2.2020 & Memo No. 836 (B) dated 3.7.2020	2942 of 2020
Letter dated 21.5.2020	3543 of 2020
Memo No. 490 dated 15.5.2021	2240 of 2021
Letter dated 16.12.2020	3242 of 2021
Memo No. 493 dated 11.2.2021	3521 of 2021
Memo No. 172 dated 10.1.2019	5027 of 2021
Memo No. 1669 dated 3.11.2020	312 of 2022
Order No. 1707 dated 2.5.2022	3351 of 2022
Memo No. 440 dated 13.9.2019	4326 of 2022
Order dated 13.9.2021	4775 of 2022
Order dated 13.9.2021	4777 of 2022
Memo No. 1468 dated 13.9.2022	5775 of 2022

42. So far as cases in which, either no order for regularization is passed or their cases are under active consideration, are being remitted, along with the aforesaid cases in which the claim of regularization of individual petitioners have been rejected, to be considered in accordance with law by High Powered Committee to be framed by the respondents as per the aforesaid direction of this Court within the stipulated period.

43. In the aforesaid circumstances, individual petitioners are directed to approach the respective Secretaries of the Department concerned by filing their respective representations along with a copy of this order and writ petition as well as other documents, if so required, within a period of one month from the date of receipt of a copy of this order and upon receipt of the same, the Department concerned shall take a conscious decision within a period of three months thereafter. If the Department concerned is unable to take a decision, the same shall be referred to the Chief Secretary of the State after assigning reason for not coming to a conclusion. The Chief Secretary of the State upon receipt of such recommendation from the Department concerned, shall constitute a High Powered Committee comprising of the Heads of the Departments/ Secretaries including the experts and other members, who are found appropriate in the interest of Committee for taking a final decision. The final decision shall be taken by the Committee so constituted within a further period of four months. The Committee shall examine individual cases and take a decision regarding regularization in

view of the guidelines framed by the State as per the direction of the Hon'ble Apex Court in the case of **Narendra Kumar Tiwari** (*supra*). If the Committee fails to take a unanimous decision on the representations of the individual employees, the same shall be disposed of with a cogent and valid reasoned order, in accordance with law. Thereafter, the parties if aggrieved by the said reasoned order are at liberty to approach this Court for redressal of their grievances.

The same exercise as stated above shall be undertaken by the Union of India in consultation with the Government of Jharkhand for redressal of the grievances of the petitioners concerned for regularization.

44. The object behind constitution of such Committee is to ensure that no litigation comes to the Court without the parties having had an opportunity of conciliation before in-house Committee.
45. It is further ordered that the State shall come-out with a specific guideline taking into consideration the judgments cited above particularly the judgment rendered by the Hon'ble Apex Court in the case of **Narendra Kumar Tiwari** (*supra*), which has taken pain to deliberate the various observations of the Hon'ble Apex Court regarding regularization.
46. As far as the cases of Universities are concerned, the same exercise shall be done by the Vice Chancellor of the concerned University regarding constitution of High Powered Committee.
47. As a sequitur to the aforesaid observations, rules, guidelines, legal propositions and judicial pronouncements, all these writ petitions stand disposed of.

Pending I.As, if any also stand closed.

(Dr. S. N. Pathak, J.)