

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(S) No. 68 of 2024

Surendra Kumar Gupta Petitioner

Versus

1. The State of Jharkhand through the Secretary, Department of Revenue, Registration & Land Reforms, Ranchi.
2. The Divisional Commissioner, Palamu Division, Medninagar, Palamu
3. Secretary to the Commissioner, Palamu Division, Medininagar, Palamu.
4. The Deputy Commissioner, Latehar District Collectorate, Latehar.
5. The Additional Collector, Latehar.
6. The District Welfare Officer, Latehar.
7. The Deputy Collector, Establishment, Latehar.

.... ... Respondents

CORAM : HON'BLE DR. JUSTICE S.N. PATHAK

For the Petitioner : Mr. Rohit Sinha, Advocate
For the Respondents : Ms. Archana Kumari, AC to AAG-V

06/ 29.04.2024 Petitioner has approached this Court with a prayer for direction upon the respondents to regularize the services of petitioner, which has been wrongly rejected and consequent upon the same release all other consequential benefits for which petitioner is entitled for.

2. It is the case of the petitioner that petitioner was appointed as driver on daily wages in the month of May, 2009 against the sanctioned post in the office of Circle Officer, Latehar. Petitioner has been working since May, 2009 on daily wages having an unblemished service record. The petitioner kept on representing before the respondent-authorities for regularization of his services. On 15.06.2020 a meeting was held under the Chairmanship of the Deputy Commissioner for regularization of services of daily wagers working in various offices on daily wages. The name of petitioner has been considered at Sl. 01. In the said meeting it has been wrongly noted that petitioner was not appointed by the competent authority, whereas the petitioner fulfills all the criteria and the facts remains that that he has been appointed by competent authority. The said minutes of the meeting was forwarded by the Deputy Commissioner, Latehar to the Divisional Commissioner, Palamu vide letter no. 132 dated 25.06.2020.

Aggrieved by the same, petitioner has knocked the door of this Court.

3. Since a batch of cases with respect to regularization of different departments of the Government fell for consideration before this Court in W.P.(S) No. 1021 of 2020 and other analogous matters and this Court vide judgment dated 15.1.2024 passed a detailed order and specific direction was given to the respondents for constitution of a High Powered Committee to look into the individual cases of similarly situated persons. As the matter has already been adjudicated, no useful purpose is going to be served by passing a detailed order in the present case.

4. Hence, the impugned order dated 25.06.2020 so far as it relates to present petitioner is concerned is hereby quashed and set aside. The matter is remitted back to the respondents for consideration of the case for regularization/ promotion. The petitioner is directed to file a fresh representation enclosing the documents on which he is relying upon before the concerned Department within a period of four weeks from the date of receipt / production of a copy of this order, who will take a decision in accordance with law taking into consideration the observations and directions passed by this Court in W.P.(S) No. 1021 of 2020 and other analogous matters.

5. Let it be made clear that if any favourable order is passed in favour of the petitioner, consequential benefits be also extended to him within a period of six weeks thereafter.

6. With the aforesaid observations and directions, this writ petition stands disposed of.

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