

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(S) No. 170 of 2024

Surendra Prasad Petitioner

Versus

1. The State of Jharkhand
2. Secretary, Department of Personnel, Administrative Reform and Rajbhasha, Govt. of Jharkhand, Ranchi.
3. Secretary, Department of Forest, Govt. of Jharkhand, Ranchi.
4. Principal Chief Conservator of Forest, Forest Department, Govt. of Jharkhand, Ranchi.
5. Assistant Principal Chief Conservator of Forest, Department of Forest, Hazaribagh.
6. Conservator of Forest, Daltonganj Afforestation and Social Forestry Circle, Daltonganj.
7. Divisional Forest Officer, Social Forestry Division, Garhwa.
8. Divisional Commissioner, Palamau.

.... ... Respondents

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

For the Petitioner : Mr. Pankaj Srivastava, Advocate
For the Respondents : Mr. Ranjan Kumar, AC to Sr.SC-I

02/ 29.04.2024 Petitioner has approached this Court with a prayer for direction upon the respondents to regularize the services of petitioner in terms of the regularization rules notified vide notification No. 1348 dated 13.02.2015 and to pay arrears of salary to the petitioner as is being paid to regular employees.

2. Petitioner was appointed on 07.02.1982 as Amin on daily wages basis in State in State Trading Division, Garhwa and worked there till 23.09.2003 thereafter to Social Forestry Division, Garhwa where he joined on 24.09.2003 and superannuated on 31.01.2021 on attaining the age of retirement. The petitioner was appointed on sanctioned and vacant post. It is the case of petitioner that several lists were prepared of the persons working on daily wage basis on 31.12.2002 and 18.11.2009. The service of petitioner has been fully satisfactory throughout his career and certificates were issued from time to time by authorities regarding the same. The Govt. of Jharkhand contemplated regularization of daily wage workers who have completed 240 days of service as on 01.08.1985. Accordingly, later No. 4254 dated 10.10.2012 was issued from the Department of Forest, Govt. of Jharkhand,

directing the respondent No. 4 to send list of such employees. In compliance of letter dated 10.10.2012, the respondent No. 4 constituted a State Level Committee vide office order No. 137 dated 16.06.2017 and Sub-Committees at regional level vide office order No. 170 dated 25.07.2017. The petitioner has been making representations for regularization of his services but the same went into vain.

Hence, the petitioner has been constrained to knock the door of this Court.

3. 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 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.)