

**(2008) 02 JH CK 0117**  
**In the Jharkhand High Court**

Abid Ali and Others

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

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**Date of Decision :** 18-02-2008

**Acts Referred:**

**Citation :** (2008) 2 JCR 360

**Hon'ble Judges :** R.K. Merathia, J

**Bench :** Single Bench

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### Judgement

R.K. Merathia, J.—Petitioners are claiming regularization on the ground that they are working in work charge establishment. In the Full Bench Judgment reported in Ram Prasad Singh and Another and Others Vs. State of Jharkhand and Others, , it has been, inter alia, held as follows:

17. I, therefore, hold that:

(i) The work-charged employees, who have completed more than five years of continuous service against one post in the work-charged establishment and otherwise eligible, have a right of consideration of their cases for taking over their services in the permanent (regular) establishment, irrespective of their dates of appointment.

But the work-charged employees, working on daily wages, not holding any post, are not so entitled....

2. Mr. Kalyan Banerjee, appearing for the petitioners, submitted that one similarly situated Tapan Kumar Banerjee filed a writ petition before this Court being W.P. (S) No. 2733 of 2006 which was disposed of on 21.9.2006 and pursuant thereto order has been passed on 6.8.2007 giving him minimum salary at the lowest grade, and therefore petitioners are also entitled to similar relief.

3. In that view of the matter, petitioners may make separate representations before the Engineer-in-Chief, Drinking Water and Sanitation Department, Government of Jharkhand, who will examine their individual cases and will pass

speaking orders thereon in accordance with law within six weeks from the date of receipt of such representations.

4. it is made clear that this Court has not gone into the merits of the case. With these observations and directions, this writ petition is disposed of.