

(2001) 10 JH CK 0002

In the Jharkhand High Court

Case No : Writ Petition (S) No. 5158 of 2001

Basant Kumar Baghel

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 10-10-2001

Acts Referred:

Citation : (2001) 10 JH CK 0002

Hon'ble Judges : S.J. Mukhopadhaya, J

Bench : Single Bench

Advocate : Bimal Kumar and M.M. Sharma, for the Appellant; Mahua Palit, J.C. to G.A., for the Respondent

Judgement

S.J. Mukhopadhaya, J.—This application has been preferred by petitioner for regularisation of the services against an appropriate post as he is working on daily wage since 14th March, 1982.

2. The case of the petitioner is that the respondents engaged him on daily wage on 14th March, 1982; since then he is working and performing the duty of Munshi/Range, clerk in the office of Range Officer, Saranda State Trading Division, Manoharpur Logging Range. It is alleged that though there are vacancies but still the respondents have not considered the case of the petitioner for regularisation/regular appointment.

3. Counsel for the petitioner placed reliance on an order passed by this Court on 27th March, 2001, in C.W.J.C. No. 2840/99 (R) wherein in the case of another employee, Md. Erfan, who was working on daily wage since 1982, the matter has been remitted with direction to the respondents to regularise the services of the said petitioner forthwith. The L.P.A. No. 271/2001 preferred against the said order was also dismissed by a speaking order and was also affirmed by the Supreme Court in SLP (Civil) No. 15175/2001, vide order dated 17th September, 2001.

4. In the facts and circumstances, the case is remitted to the respondents to find

out as to whether the petitioner is working on daily wage since 1982 or not. If it is found that the petitioner is also working since 1982 on daily wage the respondents will provide similar benefits to the petitioner, as was provided to Md. Erfan, the petitioner of C.W.J.C. No. 2840/99 (R) and consider the case of the petitioner for regularisation/ regular appointment against an appropriate post within three months from the date of receipt/production of a copy of this order.

5. If the respondents take any adverse decision will communicate the grounds to the petitioner within the aforesaid period.

6. The writ petition stands disposed.