

(2008) 03 JH CK 0043
In the Jharkhand High Court

Dhaneshwar Manjhi and Another	Vs	APPELLANT
State of Jharkhand and Others		RESPONDENT

Date of Decision : 27-03-2008

Acts Referred:

Citation : (2008) 3 JCR 119

Hon'ble Judges : Narendra Nath Tiwari, J

Bench : Single Bench

Judgement

N.N. Tiwari, J.—In this writ petition the petitioners have prayed for a direction on the respondents to postpone/adjourn/stay, the date of interview/examination for appointments on the posts of Lecturers of the five tribal languages including Santhali, Mundari, Ho, Kharia and Khurukh. When the writ petition is taken up today, learned Counsel submitted that examination/interview has already been held pursuant to the Advertisement No. 1/07 dated 30.1.2007 published in the daily newspaper "Hindustan" in its edition dated 30.1.2007.

2. At this stage of the case when the examination, interview etc. have already held, the petitioners have come with a prayer for amendment in the prayer portion of the writ petition seeking direction on the respondents not to appoint any Lecturer during the pendency of the writ petition.

3. The grievance of the petitioners is that the reservation policy has not been followed in the appointment and the entire process is vitiated on that count.

4. Learned counsel appearing on behalf of the State-respondents as well as for the JPSC, submitted that the appointments in the Ranchi University in the said subjects are yet to be made. The petitioners themselves were the candidates and took part in the process. They never objected to the said advertisement. The number of vacancy of the posts is not clear and there is no occasion for following the reservation policy at this stage. The grievance of the petitioners is premature and is not entertain able. Learned counsel for the respondents further submitted that the State Government shall follow the reservation policy as well as the

roster at appropriate stage. If the petitioners have any apprehension to that regard, they should have approached the Principal Secretary, Human Resources Development Department, Government of Jharkhand, who is the competent authority to consider the petitioners' grievance. Learned counsel submitted that the proper course for the petitioners was to approach the said authority and not to file the writ petition.

5. Having heard the learned Counsel for the parties and perused the facts and materials on record, I find that the petitioners have not approached the competent authority before filing the writ petition. The Principal Secretary, Human Resources Development Department, Government of Jharkhand, Ranchi according to the parties, is the competent authority to consider the petitioners' grievances.

6. This writ petition is thus disposed of giving liberty to the petitioners to approach the Principal Secretary, Human Resources Development Department, Government of Jharkhand, Ranchi and place their grievance. If such representation is filed, the said authority shall consider the same and pass appropriate order in accordance with law within a period of six weeks from the date of receipt of the representation.

LA. No. 3394/2007

7. In view of the order dated 27.3.2008 passed in the writ petition, this interlocutory application has become in-fructuous. This interlocutory application is, thus, rejected.