
(2008) 11 JH CK 0005
In the Jharkhand High Court

Etwa Oraon and Others

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 28-11-2008

Acts Referred:

Citation : (2008) 11 JH CK 0005

Hon'ble Judges : Ajit Kumar Sinha, J

Bench : Single Bench

Judgement

Ajit Kumar Sinha, J.—The present writ petition has been preferred by sixteen petitioners for issuance of an appropriate writ, order or direction; commanding upon the respondents to regularize the services of the petitioners, who have been continuously working as "Pump Operator". "Amin". "Electrical Grade I". "Driver". "Khalasi". "Chowkidar", "Surveyor". "Surveyor Khalasi" and "Jeep Driver" since 16.11.1978. 1.12.1978. 1.12.1979.1.10.1979. 1.11.1979, 17.12.1979. 15.1.1980.27,2.1980, 18.2.1982. 22.2.1982, 10.5.1982. 30.2.1983 and 1.3.1985 till date on daily wages against sanctioned scheme vacant post in the Minor Irrigation Division, Lohardagga without any leave/break in service. Further prayer has been made for a direction to the respondents to make payment of arrears of wages to the petitioners from 20.6.1979 to 31.3.2000. 1.12.2001 to 31.3.2002 and from 24.6.2002 till date except for some payments made in between as well as to pay month to month salary and for payment of bonus and other admitted dues which has not been paid to the petitioners though regular work has been taken from them without any break/leave.

2. Learned Counsel for the petitioners submits that petitioner Nos. 1 and 5. namely. Etwa Oraon and Shiv Shankar Thakur respectively, have already been regularized as admitted in the counter affidavit, in accordance with the order and directions issued by the Hon'ble Supreme Court in SLP (Civil) No. 18164 of 1999 and analogous cases and the scheme formulated pursuant thereto. However, rest of the petitioners, who are petitioner Nos. 2, 3, 4 and 6 to 16 are yet to be regularized.

3. Learned Counsel for the respondents very fairly submits that let them move representation(s), which will be considered in the light of the scheme and the list prepared pursuant to the order and direction of the Hon''ble Supreme Court and the respondents will have to consider the payment of arrears of salary.

4. Let a representation to that effect be made and respondent No. 2 is accordingly directed to dispose of the same in the light of the order, passed by the Hon''ble Supreme Court, as well as the scheme and the list prepared pursuant thereto within a period of two months from the date of receipt/production of a copy of this order and communicate the same to the petitioners. The respondents are also directed to pay the admissible dues towards the arrears of salary.

5. This writ petition is, accordingly, disposed of but without any order as to costs.