
(2008) 12 JH CK 0077
In the Jharkhand High Court

Kailash Prasad

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 04-12-2008

Acts Referred:

Constitution of India, 1950 — Article 14, 16

Citation : (2009) 1 JCR 9

Hon'ble Judges : Ajit Kumar Sinha, J

Bench : Single Bench

Judgement

Ajit Kumar Sinha, J.—The present writ petition has been filed for the following reliefs:

2. For issuance of an appropriate writ, order or direction or a writ in the nature of mandamus commanding upon the respondents mainly respondent No. 3, Director. B.I.T. Sindri to issue appointment letter in favour of the petitioner against the Class-IV post for which the petitioner has successfully competed in the written test followed by the interview and his name has been declared in the list of successful candidates for being appointed against Class IV posts keeping in view that the petitioner is rendering his service for the BIT. Sindri since 1989 till to date continuously and is being paid remuneration at Daily wages basis.

3. For issuance of appropriate writ, order or direction in the nature of mandamus commanding upon the respondents to immediately start paying to the petitioner on pay scale for Class-IV employees and to implement the decision of the Hon'ble Court by appointing the successful candidates including the petitioner on the post on which the petitioner applied and working since most of the candidates from said panel have already been appointed.

4. The case of the petitioner is that he is working since 1989. It also appears that the appointment of the petitioner was in accordance with the Constitutional Mandate of Article 14 and 16 of the Constitution of India by going through the process of selection and there is no dispute that he has worked since 1989.

5. It is further admitted that he was selected and admitted to be regularised as well vide Annexure-9, which has been enclosed at page-34 and the same has not been denied J

6. Considering the aforesaid facts and circumstance of the case, the respondent No. 3, Deputy Commissioner, Dhanbad, is directed to consider the case of the petitioner in accordance with law in the light of the aforesaid observation with regard to his regularisation, within a period of two months from the date of receipt of a copy of this order, more so when he was selected and recommended and having worked since 1989 uninterruptedly.

7. This writ petition is disposed of with the aforesaid direction without any order as to costs.