

(2002) 03 JH CK 0050
In the Jharkhand High Court
Case No : C.W.J.C. No. 1601 of 2001

Kanhaiya Bharti and Others

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 06-03-2002

Acts Referred:

Citation : (2002) 03 JH CK 0050

Hon'ble Judges : M.Y. Eqbal, J

Bench : Single Bench

Advocate : S.B. Gadodia, A.K. Verma and V.N. Chy, for the Appellant; A.K. Dikshit, JC to A.A.G., for the Respondent

Judgement

M.Y. Eqbal, J.—This Court, by order dated 23.4.2001, directed the State Counsel to seek instruction and file counter-affidavit but no counter-affidavit has been filed. When this case was called out yesterday i.e. on 5.3.2002, this Court, expressing its displeasure, asked the learned JC to AAG to call the Advocate General in order to know from him as to why the cases are going unrepresented. The Advocate General was not informed. However, this case was ordered to be listed today and has been taken up. In such circumstance I have no option but to dispose of this writ application on the basis of the averments made therein.

2. The petitioners seek regularisation of their services on the ground, inter alia, that they have been continuously working, first on daily wages and then in the work charge establishment for the last 20 years. Learned Counsel referred Annexure-15 to the writ application to show that the petitioners firstly joined in between 1979 and 1986 on daily wages basis and after serving for about 10-15 years, they were taken into work charge establishment and still they have been continuously working in the work charge establishment. Learned counsel further referred Annexure-14 which is a letter written by the Executive Engineer, REO, Works Division, Dhanbad to the Chief Engineer, REO, Chotanagpur & Santhal Pargana. Ranchi recommending the case of the petitioners for regularisation of their services.

3. In the light of the aforesaid facts, I dispose of this writ application with a direction to the petitioners to file a detailed representation before respondent No. 2, Engineer-in- Chief R.E.O. Govt. of Jharkhand, Ranchi with a copy to the Chief Engineer, R.E.O. Chotanagpur & Santhal Pargana, Ranchi making their grievances and claiming for regularisation. In case, such representation is filed the respondents 2 and 3 shall consider and dispose of the said representation by passing a reasoned order on the question of regularisation of the services of the petitioners, if they had been continuously working for the last 15-20 years.

4. Needless to say that if the petitioners have been working continuously, they are entitled to get their salary which shall be paid to them within 30 days from the date of production of a copy of this order.

5. With the aforesaid directions this application is disposed of.