
(2010) 09 JH CK 0078

In the Jharkhand High Court

Case No : Writ Petition (S) No. 3858 of 2007

Om Prakash Sah and Deepak Mitra

APPELLANT

Vs

The State of Jharkhand and Others

RESPONDENT

Date of Decision : 15-09-2010

Acts Referred:

Citation : (2010) 09 JH CK 0078

Hon'ble Judges : Dhirubhai Naranbhai Patel, J

Bench : Single Bench

Judgement

D.N. Patel, J.—Learned Counsel appearing for the petitioners submitted that the main grievance ventilated in this writ petition has been brought to an end by the respondents and the petitioners have been made permanent vide memo No. 1841 of the year 2010 by the Chief Engineer of Water Resources Department. The petitioners have been appointed as Steno-typist.

2. Learned Counsel appearing for the petitioners further submitted that now the consequential benefits are required to be decided and given to the petitioners. It is also submitted by learned Counsel for the petitioners that the post of the present petitioners is merged into the post of Personal Assistant with effect from 1999, therefore, consequential and such other benefits for the post of Personal Assistant should be extended to the petitioners by the respondents earliest and, therefore, let this petition be treated as representation and the petitioners may also be permitted to prefer a fresh representation to respondent No. 3, which may be directed to be decided by respondent No. 3, in accordance with law and after giving an adequate opportunity of being heard to the petitioners, within stipulated time as given by this Court.

3. Learned Counsels for the respondent-State submitted that they have no objection if such a direction is given to respondent No. 3 to decide the representation of the present petitioners, in accordance with law and within stipulated time, as given by this Court.

4. In view of the aforesaid submissions, I hereby direct respondent No. 3 to treat this writ petition along with annexures and counter affidavit, as representation of the petitioners and if the petitioners are preferring fresh representation, it will also be considered by respondent No. 3 and he will decide the same, in accordance with law, rules, regulations, policy and enforceable Government orders, applicable to the petitioners, as expeditiously as possible and practicable, preferably within a period of sixteen weeks from the date of receipt of a copy of this order. The contention of the petitioners is that the post of Steno-typist is merged into the post of Personal Assistant with effect from 1991 and, therefore, they are in search of the benefit of the pay scale and such other benefits including Assured Career Progression Scheme benefit, which are given to the post of Personal Assistants. This point will be considered by respondent No. 3, in accordance with law and within aforesaid stipulated time. The petitioners are also permitted to present all the relevant documents along with their fresh representation.

5. The petition is, accordingly, disposed of, in view of the aforesaid directions.