

(2011) 07 JH CK 0131

In the Jharkhand High Court

Case No : Writ Petition (S) No. 1143 of 2011

Ram Padaran Thakur and Others

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 12-07-2011

Acts Referred:

Citation : (2011) 07 JH CK 0131

Hon'ble Judges : Narendra Nath Tiwari, J

Bench : Single Bench

Judgement

Narendra Nath Tiwari, J.—In this writ petition, the Petitioners have prayed for a direction on the Respondents to regularise them on ClassIV post, as they have been duly selected and their names stand in the select list published on 23rd April, 2006.

2. It has been stated that the Petitioners were engaged as daily wager prior to 1st August, 1985 on the basis of the names sent by the employment exchange. Their interview was also held. At that time, qualification for ClassIV post was only reading, writing and cycling etc., as per the Government Letter No. 13984 dated 17th August, 1971. Subsequently, the qualification for appointment on ClassIV post has been changed as ClassVIII pass by issuing notification dated 25th April, 1997. The said modified provision is, therefore, not applicable in the case of the Petitioners. The Petitioners, thus, fulfill all the requirements for their regular appointment on Class IV post and their names also stand in the final select list prepared for the purpose of making such appointment, but till date, the appointment letters have not been issued to them. The Petitioners filed several representations before the concerned authority, but the same have also not been heeded upon.

3. Learned J.C. to G.P.II, appearing on behalf of the Respondents, submitted that the Deputy Commissioner, Dhanbad is the competent authority to consider the Petitioners' claim/grievance the Petitioners' representation is still pending or if they file fresh representation, the same shall be considered and appropriate

order shall be passed without further delay.

4. Considering the said submissions, this writ petition is disposed of, giving liberty to the Petitioners to file a fresh representation, along with a copy of this order, before the Deputy Commissioner, Dhanbad Respondent No. 5. On receipt of the representation, the said Respondent shall consider the same and pass appropriate order, in accordance with law, within a period of two months from the date of receipt of the representation.