
(2003) 04 JH CK 0125

In the Jharkhand High Court

Case No : Writ Petition (S) No. 4188 of 2001

Ranjit Kumar Rana and Others

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 09-04-2003

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2003) 3 JCR 460

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

Bench : Single Bench

Advocate : A.K. Sahani, for the Appellant; Shamim Akhtar, SC II, for the Respondent

Judgement

M.Y. Eqbal, J.—Heard the counsel for the parties.

2. The petitioners seek appropriate direction upon the respondents to consider their cases for promotion from the post of Dalpatis to the post of Panchayat Sewak with effect from the date when other juniors and similarly situated persons have been promoted to the post of Panchayat Sewak.

3. In the counter affidavit filed by the respondent-Deputy Commissioner it is stated that several Dalpatis were promoted against the vacant post of Panchayat Sewak which promotion was on the basis of recommendations of the Appointment Committee and in compliance of the order of this Court passed in several writ petitions. It is stated that these petitioners were not parties in those writ petitions. It is further stated that the members of the Committee now have unanimously decided that unless there is specific order for consideration for appointment of the petitioners, no decision for recommendation can be taken. The Finance department should be requested for according permission for normal appointment of Dalpatis on the vacant post of Panchayat Sewak.

4. Admittedly, the petitioners are working as Dalpatis and claim promotion to the post of Panchayat Sewak and not direct appointment on the vacant post of

Panchayat Sewak. It is, therefore, for the Committee to consider the cases of the petitioners for their promotion from the post of Dalpatis to the post of Panchayat Sewak as was done in the cases of other similarly situated persons referred to in para 5 of the counter affidavit. If the respondents think it proper to take formal permission of the Finance department, then it is for them to obtain such permission of the Finance department and consider the cases of the petitioners for their promotion from the post of Dalpatis to the post of Panchayat Sewak within a period of two months from the date of receipt of a copy of this order.

5. With the aforesaid direction this writ application is disposed of.