

(2021) 02 JH CK 0069
In the Jharkhand High Court
Case No : Writ Petition(S) No. 408 Of 2020

Reeta Tirkey And Ors

APPELLANT

Vs

State of Jharkhand And Ors

RESPONDENT

Date of Decision : 08-02-2021

Acts Referred:

Citation : (2021) 02 JH CK 0069

Hon'ble Judges : Sanjay Kumar Dwivedi, J

Bench : Single Bench

Advocate : Saket Upadhyay, Abhijit Abhilash Tirkey

Final Decision : Disposed Of

Judgement

1. Heard Mr. Saket Upadhyay, the learned counsel for the petitioners and Mr. Abhijit Abhilash Tirkey, the learned counsel for the respondent State.
2. This writ petition has been heard through Video Conferencing in view of the guidelines of the High Court taking into account the situation arising due to COVID-19 pandemic. None of the parties have complained about any technical snag of audio-video and with their consent this matter has been heard.
3. The petitioners have preferred this writ petition for direction upon the respondents to regularize the services of the petitioners. The petitioners are working as Rojgar Sewak under the authority of respondent State.
4. Pursuant to the advertisement invited for the appointment on the post of Gram Rojgar Sewak for different districts on the sanctioned vacant post on consolidated amount, the petitioners have applied and following the required educational qualification and the reservation policy, the petitioners were appointed on the post of Gram Rojgar Sewak vide memo no.881 dated

27.07.2007. The petitioners were directed to appear before the competent authority from 01.08.2007 to 04.08.2007 along with all the relevant original documents and certificates for mandatory verification and necessary approval. Thereafter, the petitioners were appointed by the competent authority in the light of Annexure-3 series. The petitioners joined on the post and are working continuously and have worked for more than 13 years. The petitioners' case for regularization in spite of the representation has not been considered. Aggrieved with this, the petitioners have approached this Court.

5. Mr. Upadhyay, the learned counsel for the petitioners submits that the petitioners have already worked for more than 13 years and in the light of the case rendered in the matter of *Narendra Kumar Tiwary v. State of Jharkhand* [Civil Appeal No.7423-7429/2018] and the circular for regularization of the Government of Jharkhand in terms of the order passed by the Hon'ble Supreme Court, the case of the petitioner is fit to be considered. He submits that the petitioners have already filed the representation but no decision has been taken as yet.

6. Mr. Tirkey, the learned counsel for the respondent State submits that the representation is there. The writ petition can be disposed of for consideration of the representation.

7. In view of the above facts and considering that no decision has been taken as yet on the representation of the petitioners, the writ petition is being disposed of directing the petitioners to file a fresh representation along with all the credentials including the judgment rendered by the Hon'ble

Supreme Court in the case of *Narendra Kumar Tiwary* [supra] and *Sheo Narain Nagar v. State of Uttar Pradesh* [Civil Appeal

No.18510/2017], (2018) 13 SCC 432 within a period of two weeks from today.

8. If such representation is filed within the aforesaid period, the respondent no.3 shall consider the case of the petitioners in accordance with the rules,

regulations and the guidelines and considering the judgment of the Hon'ble Supreme Court as well as the rules made by the Government of

Jharkhand in this regard within eight weeks further thereafter. If any decision is taken in favour of the petitioners, the benefit of the same shall be

provided to the petitioners within eight weeks further thereafter.

9. With the aforesaid observation and direction, the writ petition stands disposed

of.