

(2011) 08 JH CK 0114

In the Jharkhand High Court

Case No : Writ Petition (S) No. 2350 of 2011 and I.A. No. 2081 of 2011

Sandeep Kumar Tirkey

APPELLANT

Vs

The Jharkhand State Electricity Board and Others

RESPONDENT

Date of Decision : 05-08-2011

Acts Referred:

Citation : (2011) 08 JH CK 0114

Hon'ble Judges : Dhirubhai Naranbhai Patel, J

Bench : Single Bench

Final Decision : Allowed

Judgement

D.N. Patel, J.—An advertisement was published by the Respondents, which is at Annexure1 to the memo of the present petition bearing No. 1 of 2008 followed by several corrigendum, which are at Annexure2 series, and thereby, the qualification originally fixed for the post of Assistant Executive Engineer vide Annexure1, which was only for Electrical Engineers, was amended to the extent that not only the Electrical Engineers, but, the Mechanical Engineers are also eligible for the posts, in question. The Petitioner being a Mechanical Engineer, was also interviewed for the post, in question, and thereafter, he cleared all the selection tests and ultimately, he was selected for the said post and was placed at serial No. 36, as per Annexure4 to the memo of the present petition. There are altogether 45 vacancies for the post, in question, and the Petitioner was selected at serial No. 36, but, because of some misunderstanding, the Petitioner was not appointed because he was a Mechanical Engineer. It is further submitted by the counsel for the Petitioner that few other candidates have also filed several writ petitions, one of them is W.P.(S) No. 583 of 2010 and those batch matters have already been decided by this Court by a common order dated 30th March, 2011, which is at Annexure9 to the memo of the present petition, wherein, the corrigendum issued by the Respondents has been held to be a valid one. Thus, the Petitioner is also eligible for being appointed to the post, in question, though he is a Mechanical Engineer and for No. reason, whatsoever, the Respondents are

not appointing him and hence, the present writ petition has been preferred.

2. Counsel for the Respondents submitted that since the issue, involved in this writ petition, has already been settled, they have nothing much to oppose the matter and the Petitioner may be directed to be appointed on the post of Assistant Executive Engineer.

3. In view of this limited submissions and looking to the reasons, given in the order, passed by this Court dated 30th March, 2011 in W.P.(S) No. 583 of 2010 along with other allied matters, corrigendum issued by the Respondents, making Mechanical Engineers also eligible for the post, in question, and as the Petitioner has already been selected for the post, in question, at serial No. 36 in the select list (Annexure4 to the memo of the present writ petition), I hereby, direct the Respondents to allow the Petitioner to join the post of Assistant Executive Engineer. The Petitioner shall approach Respondent No. 3/or Respondent No. 4 for joining the duties as Assistant Executive Engineer on 9th August, 2011 at 9.30 a.m.

4. Similarly, W.P.(S) No. 6091 of 2009 has also been allowed by this Court vide judgment/order dated 26th July, 2011.

5. I hereby, also direct the Respondents to allow the Petitioner to place at appropriate serial number, looking to his serial No. 36 in the select list, which is at Annexure4 to the memo of the present petition and it will be communicated to the Petitioner that what is his serial number in the same batch.

6. This writ petition is allowed and disposed of, in view of the above directions. In view of the final disposal of the writ petition, I.A. No. 2081 of 2011 also stands disposed of.