

(2022) 07 JH CK 0009
In the Jharkhand High Court
Case No : Writ Petition (S) No. 2590 Of 2011

Sanjeev Kumar Malto

APPELLANT

Vs

State Of Jharkhand And Others

RESPONDENT

Date of Decision : 07-07-2022

Acts Referred:

Citation : (2022) 07 JH CK 0009

Hon'ble Judges : Anubha Rawat Choudhary, J

Bench : Single Bench

Advocate : Ranjan Kumar Singh, O. P. Tiwari

Judgement

Anubha Rawat Choudhary, J

1. Pursuant to order dated 05.07.2022, the Secretary, Welfare Department, Government of Jharkhand Mr. K. K. Soan is personally present in the court. He has filed one counter affidavit during the course of hearing, which is taken on record. He has explained the reasons for non-compliance of the earlier order passed by this Court. He submits that he was not aware of the orders as the same were not communicated to him and this aspect of the matter has been put on the records through the counter affidavit being filed today.

2. Learned counsel for the State Mr. O. P. Tiwari submits that due to inadvertence, no steps were taken at his end to communicate the earlier orders to the Secretary, Welfare Department and consequently neither counter affidavit was filed in terms of order dated 09.05.2022, nor the Secretary, Welfare Department could appear before this court on 05.07.2022. Learned counsel submits that the counter affidavit filed today also complies the orders passed by this court.

3. After going through the supplementary counter affidavit which has been filed today this court is satisfied with the explanation furnished by the Secretary, Welfare Department, Government of Jharkhand for non-compliance of earlier orders passed by this court. Accordingly, personal appearance of Secretary,

Welfare Department is hereby dispensed with.

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4. During the course of hearing, it transpired that pursuant to the order passed in W.P. (S) No. 4991 of 2009, disposed of on 25.05.2020, a reasoned order has been passed as contained in Annexure-D to the counter affidavit filed today wherein it has been mentioned that a panel was prepared but the life of the panel had expired.

5. Considering the grievance of the petitioner in the present case, that the petitioner had participated in the selection process, he was called for verification of document and thereafter the result of the petitioner was not published or known to the petitioner. Accordingly, a further supplementary counter affidavit is required in the present case bringing on record the panel which was ultimately prepared pursuant to the earlier selection process and also the rank of the petitioner in the merit list. Supplementary counter affidavit should also disclose that the persons who were ultimately selected including the name of the persons who was selected in the reserved category. The supplementary counter affidavit as aforesaid should be filed by 08.08.2022.

6. Learned counsel for the respondents submits that aforesaid information can be put on record by the Deputy Commissioner, Godda. The supplementary counter affidavit by the Deputy Commissioner, Godda, should be filed by 08.08.2022.

7. Rejoinder, if any, should be filed by 18.08.2022.

8. Post this case on 24.08.2022.

9. Office is directed to print the name of Mr. O.P. Tiwari, advocate in the cause list from the side of the respondents.