
(2011) 03 JH CK 0219
In the Jharkhand High Court
Case No : Writ Petition (S) No. 798 of 2007

Sonaram Mahato

APPELLANT

Vs

The State of Jharkhand and Others

RESPONDENT

Date of Decision : 29-03-2011

Acts Referred:

Citation : (2011) 03 JH CK 0219

Hon'ble Judges : J.C.S. Rawat, J

Bench : Single Bench

Final Decision : Allowed

Judgement

J.C.S. Rawat, J.—The Petitioner has filed the instant writ petition for seeking his appointment to Class-III post from class-IV post in the establishment of Respondent No. 3. The State, in its reply, has stated that the promotion from post of Class-IV to Class-III is guided on certain departmental service Rules. The counsel for the State could not demonstrate the Rules, under which, the examination or the selection is made. The counsel for the Respondent is directed to furnish a copy of the said Rules before this Court by the next date.

2. It is also made clear that if the Rule permits, the examination should be conducted or the selection process should be undertaken; as to whether any selection process has been undertaken by the Respondent authorities or not, the Respondent authorities should also file an Additional Counter Affidavit by the next date.

3. It is also made clear that if no such selection process has been undertaken for last so many years, reasons should be stated in the Additional Counter Affidavit.

4. As prayed for, two weeks time is allowed to the learned Counsel for the State to file Additional Counter Affidavit and post this matter immediately, thereafter.

5. The gist of the order has been noted down by the learned Counsel for the State and he will communicate the said order to the authority concerned. Let a

copy of this order be also given to the learned Counsel for the State.