
(2002) 02 JH CK 0041

Jharkhand High Court

Case No: Writ Petition (S) No. 1266 of 2002

Mantu Tudu and Others

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision: Feb. 19, 2002

Hon'ble Judges: Tapan Sen, J

Bench: Single Bench

Advocate: M.S. Anwar, for the Appellant; Shamim Akhtar, S.C.-II and A. Allam, for the Respondent

Judgement

@JUDGMENTTAG-ORDER

Tapan Sen, J.

After having heard the learned counsel for the parties and by their consent and agreement, this writ petition is being disposed off at the time of admission.

2. The petitioners, who are 11 in number, have prayed for a direction for regularisation of their services as they have been working uninterruptedly since a very long time i.e. 1979, 1980, 1981, 1983 and 1984. In other words, the petitioners state that they were all appointed prior to 1985.

3. The petitioners have also made a prayer for payment of regular salary in the prescribed scale as also for a direction for making payment of arrears of salary for duty period w.e.f. 19.5.1995 to 31.3.1998 (1048 days); again from 1.12.1999 to 29.2.2000 (91 days); from 17.11.2000 to 28.2.2001 (104 days) and lastly from 25.10.2001 till date. They have also prayed for current salary and bonus etc.

4. According to the petitioners, they were all appointed on the posts of chawkidar, Operator, Electrician against sanctioned posts in the Minor Irrigation Sub-Division, Jamshedpur on daily wages. The details of their dates of appointment and the places of their engagement have been stated at para-5 to the writ petition. They have also stated that they are working continuously and without any break right from the date of their appointment. At para-7, the petitioners have stated that the Government

had resolved to take steps for regularisation of daily rated employees/muster roll employees, contingent menials appointed on or before 1.8.1985 against sanctioned class-III & IV posts.

5. Mr. Anwar, learned counsel appearing on behalf of the petitioners has drawn my attention to Annexures 2 and 3 appended to the writ petition and has argued that similar matter fell for consideration before this Court earlier as also before the Division Bench of the then Ranchi Bench of the Hon"ble Patna High Court in C.W.J.C. No. 1377/97 (R) and other analogous cases.

6. Learned counsel for both the parties have submitted that this writ petition can also be disposed off in the same terms and conditions as contained in the order dated 6.4.2001 (Annexure-3).

7. Accordingly the respondent-authorities are directed to consider the case of the petitioners in the light of the resolution of the Government dated 18.6.1993. a copy of which has been marked as Annexure-1 to this writ petition as early as possible and preferably within a period of three months (12 weeks) from the date of receipt/production of a copy of this order alongwith fresh individual representations that must be filed by the petitioners before the respondent No. 2 within two weeks from today.

8. It goes without saying that each of the petitioners in their individual representations shall be entitled to take all possible and permissible points including the matter pertaining to their arrears of salary and other benefits.

9. The respondent No. 12 shall pass a reasoned order strictly in accordance with law within a period of 12 weeks as indicated above.

10. With the aforesaid observations, this writ petition stands disposed of.