IN THE HIGH COURT OF JHARKHAND AT RANCHI
**W.P.(S) No. 4526 of 2023**
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Bramhdeo Kumar @ Brahmdeo Kumar, aged about 45 years, son of Yodho Mahto, resident of Village- Chitonkhari, P.O.- Saranda, P.S.-Birni, District- Giridih, Jharkhand

**.....Petitioner**

**-Versus-**

1. The State of Jharkhand
2. Director General-cum-Inspector General of Police, Jharkhand, Ranchi, Police Headquarters, HEC, P.O.:& P.S: Dhurwa, Dist: Ranchi, Jharkhand;
3. Deputy Inspector General of Police (Personnel), Jharkhand, Ranchi, Police Headquarters, HEC, P.O. & P.S: Dhurwa, Dist: Ranchi, Jharkhand;
4. Superintendent of Police, Giridih, P.O. & P.S. Giridih, Dist- Giridih, Jharkhand

**.....Respondents**

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**CORAM**: **HON'BLE MR. JUSTICE DEEPAK ROSHAN**

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For the Petitioner(s) : Mr. Rakesh Kumar Roy, Advocate
For the Respondentsd : Mr. Sanjay Kumar Tiwari, S.C.-I

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**07/23.06.2026** The instant writ petition has been preferred by the petitioner for the following reliefs:

> *a) For issuance of an appropriate writ(s)/order(s)/direction(s) in nature of 'mandamus' commanding upon the respondents to grant seniority to the petitioner from the date, he was declared successful and was appointed, however, denied joining, as the same would be in consonance to the treatment given to the similarly situated person in light of the judgment/order rendered in the case of Ramlal Jha versus State of Jharkhand & Others reported in 2013 (1) JLJR 31.*
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> **b)** *For a further direction upon the respondent authorities to pay the difference of the arrears of salary, and other consequential benefits including Annual Increments, benefits of promotion etc, which would accrue to the petitioner if his case would be considered for seniority from the date on which the similarly situated persons were granted the benefits of seniority and other consequential benefits including promotion.*

**2.** The grievance of the petitioner is that though he appeared for the selection of Police Constable pursuant to

advertisement no. 01/2004, but for the reasons best known to the respondents he could not be selected and pursuant thereto he knocked the door of this Court in *W.P.(S) No. 6628 of 2010*, which was allowed in his favour. For brevity para-7 of the judgment is extracted hereinbelow:

> *"7. Having heard the learned counsel for the respective parties at length and on perusal of the records, I am of the considered view that the petitioner was not at fault as to the difference of height since the petitioner was fulfilling the minimum requisite height i.e. 160 cm, meant for the post of Police Constable as per the Notification of the Home Department, Government of Jharkhand, vide Memo No. 3300, dated 12th November, 2001 and it is not brought on record by the respondents that the petitioner has resorted to any malpractice. Admittedly, in the meantime, more than one decade has elapsed and the process of selection, as has been submitted by the learned counsel for the respondent-State, is over on date, but the interest of justice demands that the case of the petitioner ought to have been considered in its right perspective by the respondents and in that view of the matter, the instant writ petition is hereby disposed of with a direction to the respondents to consider the case of the petitioner for appointment on the post of Police Constable in view of the decision rendered in the case of Ramlal Jha (supra), as has been referred to by this Court within a period of eight weeks from the date of receipt/communication of the order and the decision, so taken thereon be communicated to the petitioner within the aforesaid period."*

**3.** Now the grievance of the petitioner is that though from common Advertisement, others were appointed previously and due to fault of the respondents, the petitioner has been appointed in the year 2018; therefore, the petitioner prays for shifting of the date of joining from the similarly situated constables, who were appointed pursuant to the said advertisement.

**4.** Learned counsel for the respondents submits that though the petitioner has represented the authority; however there is no order to that effect.

He further submits that the case which is being cited, being *W.P(S) No. 4007 of 2022 with analogous case,* by the petitioner is not applicable in the instant case; however, if the petitioner so chooses; he may approach the concerned respondent to decide the claim of the petitioner.

**5.** After going through the records it appears that pursuant to the Advertisement for the post of police constable vide Adv. No. 01/2004, the petitioner appeared in the exam and duly qualified, but somehow or the other, he was not selected and finally after intervention and direction of this Court in *W.P(S) No. 6628 of 2010,* he was appointed in the year 2018; therefore, the petitioner wants that his seniority should be treated with the same batch and fairly submits that he is not claiming the monetary benefit for the period he did not work.

**6.** Having regard to the aforesaid facts and circumstances of the case, the instant writ application is hereby disposed of by directing the petitioner to approach the respondent no. 2 by filing representation along with the detailed claim as early as possible.

The moment, the respondent no. 2 receives such representation, he shall pass an appropriate order within a period of 4 weeks keeping in mind that the petitioner

was appointed in the year 2018 but the advertisement was of 2004; whereby the other similarly situated persons were appointed.

**7.** Accordingly, the instant writ petition stands disposed of.

**(Deepak Roshan, J.)**

23rd June, 2026
*Jk*
*Uploaded on*
*04/07/2026*