IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(S) No.3028 of 2025

1. Shashi Ranjan Kumar, aged about 27 years, son of Girindra Mahto, resident of Village- Delha, P.O & P.S- Tarhasi, District - Palamu, Jharkhand (822118).
2. Sunil Kumar Gupta, aged about 35 years, son of Narayan Sahu, resident of Village- Lepsar Nawatoli, P.O- Choreya, P.S- Chanho, District- Ranchi (Jharkhand).
3. Mukesh Ram aged about 30 years son of Ganu Ram, resident of Village-Dumaro, Nindra, P.O & P.S- Nindra, District- Latehar (Jharkhand).
4. Mohan Prajapati aged about 32 years, son of Budhan Prajapati, resident of Village-Dumro, P.O- Nindra, P.S & District- Latehar (Jharkhand).
5. Ujjwal Kumar Dubey aged about 32 years, son of Santosh Kumar Dubey, resident of Shiv Mandir, P.O- Bdulia, P.S- Chas Mu, Belunia, District- Bokaro (Jharkhand)-827013.
6. Dinanath Yadav, aged about 31 years, son of Ram Prasad Yadav, resident of Village- Mandal Kenduadih, P.O & P.S- Barora, Dumra, District- Dhanbad (Jharkhand).
7. Lambodar Pandit, aged 34 years, son of Manjulal Pandit, resident of Motipahari, P.O & P.S- Borio, District- Sahebganj (Jharkhand).
8. Umesh Kumar, aged about 38 years, son of Dukhan Mahto, resident of Ratu P.O & P.S- Pali, District-Ranchi (Jharkhand).
9. Kapilesh Kumar, aged 32 years, son of Hari Kumar Dev, Village-Pari, P.O-, P.S- Kasmar Pirgul, District- Bokaro (Jharkhand).
10. Prashant Kumar Singh, aged about 33 years, son of Harideo Singh, resident of Village-Mangra, P.O - Murup, P.S & District-Latehar (Jharkhand).
11. Ambuj Kumar Gorain aged about 32 years, son of Lakhiram Gorain, resident of Village- Turidih, P.O- Pundaru, P.S- Pindrajora, District- Bokaro (Jharkhand).
12. Priya Sah, aged about 28 years, daughter of Krishna Prasad Sah, resident of 95, Bhagatpara, P.O & P.S- Pakur, District- Pakur (Jharkhand). ..... Petitioner

Versus

1. The State of Jharkhand.
2. The Secretary, Department of Rural Development, Govt. of Jharkhand, office at HEC, FFP Building, HEC Admin, Ranchi P.O & P.S-Dhurwa, District - Ranchi (Jharkhand) 834004.
3. The Secretary, Jharkhand state Livelihood Promotion Society, Department of Rural Development, Govt. of Jharkhand, office at Itki Road, P.O-Hehal, P.S-Sukhdeo Nagar, District-Ranchi.
4. The State Program Manager- Human Resources, J.S.L.P.S Department of Rural Development, Govt. of Jharkhand, office at Itki Road, P.O-Hehal, P.S-Sukhdeo Nagar, District-Ranchi (Jharkhand).
5. The Chief Executive Officer, J.S.L.P.S office at Itki Road, P.O-Hehal, P.S-Sukhdeo Nagar, District-Ranchi (Jharkhand).
6. The Chief Operating Officer, J.S.L.P.S office at Itki Road, P.O-Hehal, P.S-Sukhdeo Nagar, District-Ranchi (Jharkhand). .....Respondents.

CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioner : Mr. Amresh Kumar, Adv.
:Ms. Riya Raj, Adv.
:Ms. Rashi Sharma, Adv.
:Mr. Tapeshwar Nath Mishra, Adv.

For the Respondent : Mr. Om Prakash Tiwary, G.P-III
: Mr. A. K. Dubey, AC to G.P-III

CAV On 27.08.2026 **Pronounced On 25/09/2026**

The instant writ application has been filed by the petitioners praying therein for quashing of the order dated 06.05.2025; whereby the recruitment process initiated pursuant to Advertisement No. 261810 (PR) 21-22 (D) has been canceled.

A further prayer has been made for a direction to publish the final result against the said recruitment process.

2. Briefly stated, the petitioners had applied for recruitment drive for backlog and new vacancies under different programs/projects of managerial positions under the *Jharkhand State Livelihood Promotion Society* (hereinafter referred to as JSLPS) pursuant to the recruitment advertisement no. JSLPS/ HRD/ FTE/ 001/21. Thereafter, the petitioners cleared the written examination conducted on 24/25.09.2022 and were called for next stage of the Group Discussion (GD) and Personal Interview (PI); however, the results were not declared till October 2025.

Thereafter, upon seeking information through RTI application, the Public Information Officer informed that the recruitment process under Advertisement No. 261810 PR 21-21(d) had been completed and the result has been deferred due to the enforcement of the model code of conduct. Aggrieved of the abrupt cancellation of ongoing recruitment process, the petitioners have filed this writ application.

3. Learned counsel for the petitioners had submitted that the petitioners having completed the final stage of the recruitment process, the cancellation of the entire process by the respondents without assigning any valid reason is unfair and arbitrary. It has further been submitted that coming at a stage when the petitioners had already cleared one phase and were waiting for the final result, the unexpected cancelation has caused prejudice and has frustrated their legitimate expectation.

4. *Per contra,* learned counsel for the respondents had submitted that the posts for which the petitioners had applied were purely contractual in nature

and for a time frame project, subject to its continuation and programmatic requirements; however, owing to prolonged pendency of the recruitment process, the subsequent closure of the JOHAR, NRETP and MKSP Project and change in the selection agency, the respondent authority for administrative reasons took a conscious decision to cancel the recruitment process.

5. Having heard Ld. Counsel for the rival parties and upon perusal of the materials available on record, it transpires that the recruitment advertisement in question was published on 18.01.2022 for recruitment drive for backlog and new vacancies under different programs/projects of managerial positions under the *Jharkhand State Livelihood Promotion Society (JSLPS)*, whose terms and conditions are regulated by the applicable guidelines under the *National Rural Livelihoods Mission (NRLM)* and the policies adopted thereunder.

6. During the pendency of the recruitment process, the JOHAR and NRETP Projects were completed in June 2023 and July, 2023 respectively; however, owing to the disruption caused by the COVID-19 pandemic, the implementation period of the said projects had already been extended to the maximum permissible extent, and thereafter, no further extension was granted by the competent authorities.

Consequently, the requirement for certain project-specific positions ceased to exist upon completion of the said projects and some of the positions advertised thereunder no longer remained valid for appointment.

7. Accordingly, the recruitment advertisement dated 18.01.2022 issued for filling up backlog and fresh

vacancies under various programs and projects of JSLPS, the competent authority cancelled the said recruitment process vide public notice dated 06.05.2025.

8. Upon perusal of Annexures-B & C annexed to the Supplementary Counter Affidavit dated 10.07.2026, it is evident that the respondents had received a formal communication from the Ministry of Rural Development, New Delhi regarding the completion of *Mahila Kisan Sashaktikaran Pariyojana (MKSP)* and *National Rural Economic Transformation Project (NRETP)* under DAY-NRLM vide letters dated 24.05.2024 and 26.03.2024 respectively.

9. Thereafter, the respondents after receiving communication from the Ministry of Rural Development, New Delhi, have consciously decided to cancel the recruitment process for administrative reasons due to subsequent closure of the Projects like *JOHAR, NRETP* and *MSKP* and other reasons being that change in the selection agency and prolonged pendency of recruitment process.

10. Having regard to the aforesaid factual scenario, this Court is having no hesitation in holding that the action of the respondents does not suffers from any bias or arbitrariness and is well in their jurisdiction. Further, the petitioners are not having any legitimate right to contest for their selection.

11. At this stage, it would be prudent to refer the judgment rendered by the Hon'ble Apex Court in the case of ***Gurbachan Lal v. Regional Engineering College, Kurukshetra & Ors.*** reported in ***(2007) 11 SCC 102*** wherein it has been held that employees appointed for a

particular purpose of scheme do not acquire a vested or enforceable right to continue in employment once the scheme itself is closed. The relevant paras are quoted hereinbelow:

> ***"27.*** *Reliance can be placed on U.P. Land Development Corpn. v. Amar Singh [(2003) 5 SCC 388 : 2003 SCC (L&S) 690] in which this Court clearly observed as follows: (SCC p. 395, para 11)*
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> > *"11. In clear and certain terms it is stated that when the project comes to a close, the employees who are working in the project will not get any vested right. In other words, once the project comes to an end, services of the employees also come to an end. The other decisions cited by the learned counsel more or less are to the same effect."*
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> ***28.*** *In State of H.P. v. Nodha Ram [1998 SCC (L&S) 478 : AIR 1997 SC 1445] this Court while dealing with the case of a temporary employee appointed on the basis of a project which had been closed down observed as under: [SCC (L&S) pp. 478-79, para 4]*
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> > *"4. It is seen that when the project is completed and closed due to non-availability of funds, the employees have to go along with its closure. The High Court was not right in giving the direction to regularise them or to continue them in other places. No vested right is created in temporary employment. Directions cannot be given to regularise their services in the absence of any existing vacancies nor can directions be given to the State to create posts in a non-existent establishment. The Court would adopt pragmatic approach in giving directions. The directions would amount to creating of posts and continuing them despite non-availability of the work. We are of the considered view that the directions issued by the High Court are absolutely illegal warranting our interference. The order of the High Court is, therefore, set aside."*
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> *(emphasis supplied)*
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> ***29.*** *Similarly in Mahendra L. Jain v. Indore Development Authority [(2005) 1 SCC 639 : 2005 SCC (L&S) 154] it has also been held that the employees employed for the purpose of a scheme which has been subsequently closed down do not acquire any vested right or enforceable legal right to continue with the scheme nor could such employees approach the court for a declaration to continue with the scheme after the project was over."*
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> *(emphasis supplied)*

12. Further, it would also be profitable to refer the judgment rendered by the Hon'ble Supreme Court in the case of ***Punjab SEB v. Malkiat Singh*** reported in ***(2005) 9 SCC 22*** wherein it has been held that mere inclusion of name of the candidates in the select list does not confer any vested right to appointment. For brevity, the relevant paragraph of the judgment is quoted hereinbelow:

> ***"4.*** *Having considered the respective submissions made by the learned counsel for the parties, we are of the view that the High Court*

committed an error in proceeding on the basis that the respondent had got a vested right for appointment and that could not have been taken away by the subsequent change in the policy. It is settled law that mere inclusion of name of a candidate in the select list does not confer on such candidate any vested right to get an order of appointment. This position is made clear in para 7 of the Constitution Bench judgment of this Court in Shankarsan Dash v. Union of India [(1991) 3 SCC 47 : 1991 SCC (L&S) 800 : (1991) 17 ATC 95] which reads: (SCC pp. 50-51)

> *"7. It is not correct to say that if a number of vacancies are notified for appointment and adequate number of candidates are found fit, the successful candidates acquire an indefeasible right to be appointed which cannot be legitimately denied. Ordinarily the notification merely amounts to an invitation to qualified candidates to apply for recruitment and on their selection they do not acquire any right to the post. Unless the relevant recruitment rules so indicate, the State is under no legal duty to fill up all or any of the vacancies. However, it does not mean that the State has the licence of acting in an arbitrary manner. The decision not to fill up the vacancies has to be taken bona fide for appropriate reasons. And if the vacancies or any of them are filled up, the State is bound to respect the comparative merit of the candidates, as reflected at the recruitment test, and no discrimination can be permitted. This correct position has been consistently followed by this Court, and we do not find any discordant note in the decisions in State of Haryana v. Subash Chander Marwaha [(1974) 3 SCC 220 : 1973 SCC (L&S) 488 : (1974) 1 SCR 165] , Neelima Shangla v. State of Haryana [(1986) 4 SCC 268 : 1986 SCC (L&S) 759] or Jatinder Kumar v. State of Punjab [(1985) 1 SCC 122 : 1985 SCC (L&S) 174 : (1985) 1 SCR 899] ."*
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> ***5.*** *The same position is reiterated and followed by this Court in All India SC & ST Employees' Assn. v. A. Arthur Jeen [(2001) 6 SCC 380] and State of Orissa v. Bhikari Charan Khuntia [(2003) 10 SCC 144 : 2004 SCC (L&S) 188] ."*

(emphasis supplied)

13. Having regard to the aforesaid law laid down by the Hon'ble Apex Court coupled with the factual background of the instant case, the Court is of the considered belief that the petitioners having merely qualified the different stages of examination are not entitled to claim for publication of final result, inasmuch as, the advertisement/notification was simply an offer to capable candidates to apply for recruitment and on their selection, they do not acquire any right to the post. Unless the relevant recruitment rules so indicate, the State is under no legal obligation to fill up all or any of the vacancies.

14. Accordingly, no relief can be granted to the

petitioners and as a result, the instant writ application is dismissed. Pending I.A.(s), if any, stands closed. However, no cost.

(Deepak Roshan, J.)

25/09/2026
Fahim/
A.F.R.
Uploaded on
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