IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (S) No. 6932 of 2026

1. Mukesh Kumar Shukla, aged about 48 years, son of Satya Deo Shukla, resident of B/46, High Court Quarter, Doranda, Namkum Road, Seth Sita Ram School, P.O. & P.S. Doranda, District Ranchi, Jharkhand.
2. Ranjeet Kumar Pankaj, aged about 47 years, son of Ramsagar Paswan, resident of Kumharpara, P.O. Dumka, P.S. Dumka, District Dumka, Jharkhand.
3. Sanjeet Kumar No-I, aged about 46 years, son of Late Chandra Ram, resident of H.No. 1786/B, Near L.A. Garden School, Ketari Bagan, Ghat Road, P.O. Namkum, Samlong, P.S. Namkum, District Ranchi, Jharkhand.
4. Joy Lal Gorain, aged about 51 years, son of Mohan Lal Gorain, resident of Village & P.O. Satanpur, P.S. Sector XII, District Bokaro, Jharkhand.
5. Arbind Kumar, aged about 51 years, son of J.P. Singh, resident of Prasad Flour Mill, Behind New A.G. Colony, P.O. & P.S. Doranda, District Ranchi, Jharkhand.
6. Anant Pradeep Topno, aged about 50 years, son of Dharmadas Topno, resident of Shashi Vihar Lane, Chesire Home Road, Bariatu, P.O. & P.S. Bariatu, District Ranchi, Jharkhand.
7. Priyanka Sinha, aged about 44 years, wife of Amit Kumar, resident of Line Tank Road, Near Firayalal Chowk, Tharpakhna, P.O. Ranchi, G.P.O., P.S. Sadar, District Ranchi, Jharkhand.
8. Reshma Xalxo, aged about 47 years, daughter of Jaideo Oraon, resident of Karamtoli Morabadi Road, Near Karamtoli Chowk, Misirgonda Alias Pahargonds, P.O. Ranchi University, P.S. Morabadi, District Ranchi, Jharkhand.
9. Sudhanshu Shekhar, aged about 53 years, son of Chandra Mohan Prasad Singh, resident of L.I.G.-219, Harmu Housing Colony, Doranda, P.O. & P.S. Doranda, District Ranchi, Jharkhand.
10. Rajesh Kumar Singh, aged about 51 years, son of Bisheshwar Singh, C/O G.C. Kharwar, Krishnapuri, Road No.1, Chutia, P.O. & P.S. Chutia, District Ranchi, Jharkhand.
11. Sanjeet Kumar No.II, aged about 46 years, son of Sukhdeo Ravidas, resident of Subhash Nagar, Nadi Tola Bajra, P.O. Hehal, P.S. Pandra, District Ranchi, Jharkhand.

12. Tapas Ranjan, aged about 51 years, son of Bhubneshwar Sharma, resident of Sarpanch Gali, Arsande, Boreya, P.O. Arsande, P.S. Kanke, District Ranchi, Jharkhand.
13. Deepa Kumari, aged about 46 years, Wife of Amrendra Kumar Verma, C/O Suman Prasad, Pushpanjali, Near Shiv Mandir, Indrapuri Road No.1, P.O. Hehal, P.S. Sukhdev Nagar, Ratu Road, District Ranchi, Jharkhand.
14. Anuj Kumar, aged about 49 years, son of R. Dasratan, Kokar Chunna Bhatta, Ranchi, P.O. Ranchi G.P.O., P.S. Sadar, District Ranchi, Jharkhand.
15. Rajesh Verma, aged about 48 years, son of Rameshwar Ram, resident of House No.114/124 Set, Near 56 Set Chowk, P.O. Doranda, P.S. Doranda, District Ranchi, Jharkhand.
16. Champa Binha, aged about 45 years, son of Jagnu Binha, resident of Hatia Station Road, Hatia Railway Colony, P.O. Hatia, P.S. Jagarnathpur, District Ranchi, Jharkhand.
17. Rishi Sinku, aged about 48 years, son of Damu Ram Sinku, resident of House No.1674/B-2, Anand Vihar, Kadru, Near S.F.C. Godown, P.O. Doranda, P.S. Argora, District Ranchi, Jharkhand.
18. Ajay Shankar, aged about 43 years, son of Amar Nath Sahay, resident of A/1, High Court Colony, Near Nepal House, Behind Raja Rani Kothi, P.O. Doranda, P.S. Doranda, District Ranchi, Jharkhand.
19. Rakesh Kumar Rajak, aged about 49 years, son of Chhotan Ram Rajak, resident of Tillu Nazir Lane, Lake Road, Daily Market, P.O. Ranchi G.P.O., P.S. Daily Market, District Ranchi, Jharkhand.
20. Mohammad Minhaz, aged about 47 years, son of Mohammad Nigamuddin, resident of Semar Toli, P.O. Kanke, P.S. Kanke, District Ranchi, Jharkhand.
21. Binay Krishna Vidyarthi, aged about 54 years, son of Late Bal Krishna Sahay, resident of Near Mandap Mandir, Area- Krishna Colony, Bhawanipur, P.O. & P.S. Doranda, District Ranchi, Jharkhand.
22. Praveen Michael Baxla, aged about 55 years, son of Pascal Julius Baxla, resident of Konka, Siram Toli, Lower Bazar, P.O. Ranchi G.P.O., P.S. Lower Bazar, District Ranchi, Jharkhand.
23. Manoj Kumar, aged about 53 years, son of Chandramauli Prasad Singh, resident of Near Sahjanand Chowk, Harmu, High Court Colony, P.O. Harmu, P.S. Argora, District Ranchi, Jharkhand.

24. Amit Kumar Sinha, aged about 44 years, son of Uday Kumar Sinha, resident of Flat No.D2, Fifth Floor Block-C, Narayani Enclave, Road No.2, Vikas Nagar, Singhmore, Hatia, P.O. Hatia, P.S. Jagarnathpur, District Ranchi, Jharkhand.
25. Nimai Kumar Das, aged about 46 years, son of Sri Anil Kumar Das, resident of Quarter Number C/13, Block-C-3, High Court Colony, Behind Indra Place, Hinoo, P.O. Doranda, P.S. Doranda, District Ranchi, Jharkhand.
26. John Murmu, aged about 50 years, son of Benjamin Murmu, resident of C/3, Block-C, Near Nepal House, Doranda, P.O. Doranda, P.S. Doranda, District Ranchi, Jharkhand.
27. Amit Kumar Tiriya, aged about 50 years, son of Remish Tiriya, resident of village Kutingta, P.O. Noamundi, P.S. Noamundi, District West Singhbhum, Jharkhand.
28. Nirmalya Chattopadhyay, aged about 48 years, son of Joydeb Chattopadhyay, resident of 2C Krish Palace(A), Latma Road, Bosco Nagar Road No.1A, Hesag, P.O. Hatiya, P.S. Jagarnathpur, District Ranchi, Jharkhand.
29. Pinki Kumari, aged about 44 years, wife of Bharat Kamat, resident of Quarter No.B/9, High Court Colony, Rajendra Chowk, Doranda, P.O. & P.S. Doranda, District Ranchi, Jharkhand.
30. Amrita Singh, aged about 54 years, wife of Ashish Kumar Singh, resident of CD-233, Sector-2, HEC Colony, P.O. Dhurwa, P.S. Dhurwa, District Ranchi, Jharkhand.
31. Mohammad Sadat Akhtar, aged about 45 years, son of Mohammad Shamim Akhtar, resident of Near Bagla Mukhi Mandir, Kali Asthan Road, P.O. Ranchi G.P.O., P.S. Lower Bazar, District Ranchi, Jharkhand.
32. Rajesh Ranjan, aged about 49 years, son of Chandra Bhushan Prasad, resident of Qtr. No. L.I.G.-373/374, High Court Colony, Harmu, Sahjanand Chowk, High Court Colony, Harmu, P.O. Harmu, P.S. Argora, District Ranchi, Jharkhand.
33. Jaya Seema Bhengra, aged about 50 years, wife of Rajnish Kumar Samad, resident of H.I.-130, 02, Infront Yamini Apartment, Basant Vihar, Harmu, P.O. Harmu, P.S. Argrora, District Ranchi, Jharkhand.
34. Shashi Suchita Tirkey, aged about 48 years, wife of Binay Anugrah Kujur, resident of House No. 27, Gundu, Hulhundu, P.O. Hulhundu, P.S. Namkum, District Ranchi, Jharkhand.

35. Rekha Kumari, aged about 54 years, wife of Tripurari Mishra, resident of Dibadih, 5242, Bhagat Koccha, Road No.2, Doranda, P.O. & P.S. Doranda, District Ranchi, Jharkhand.
36. Ramesh Kumar Jha, aged about 50 years, son of Late Devendra Jha, resident of Nirmaldv Kunj, resident of Road No.2, Mandir Marg, Tara Nagar, Nagaradhipa, Pipratoli, Argora, Doranda, P.O. Doranda, P.S. Argora, District Ranchi, Jharkhand.
37. Chanda Kumari, aged about 52 years, wife of Sanjay Singh, resident of Bhawani Nagar, Road No.01, Back of Don Bosco School, Hesag, Hatia, P.O. Hatia, P.S. Jagarnnathpur, District Ranchi, Jharkhand.
38. Jagrani Tete, aged about 52 years, daughter of Alvic Tete, resident of Misan Gali, Kanke Road, P.O. Kanke, P.S. Gonda, District Ranchi, Jharkhand.
39. Vijay Kumar Singh No.II, aged about 51 years, son of Late Ramasharay Ray, resident of Flat No.4/A, Floor-5, Block-C, Nano Towers, Argora-Kathal More Road, Near Chapu Toli Chowk, Lajpat Nagar, Pundag, P.O. Pundag, P.S. Dhurwa, District Ranchi, Jharkhand.
40. Shambhu Kumar, aged about 51 years, son of Late Nandkishor Singh, resident of 23/28 Officers Flat, 1st Floor, Nepal House, P.O. & P.S. Doranda, District Ranchi, Jharkhand.
41. Sanjay Kumar, aged about 47 years, son of Late Deo Nandan Das, resident of B-17, High Court Colony, Behind Indira Palace, Hinoo, P.O. Doranda, P.S. Doranda, District Ranchi, Jharkhand.
42. Hare Bishun Roy, aged about 55 years, son of Jagdeep Roy, resident of Flat No.303, Latma road, Silver Estate Topaz Block, Hatiya, P.O. Hatiya, P.S. Jagarnnathpur, District Ranchi, Jharkhand.
43. Rajesh Chaturvedi, aged about 54 years, son of Prabhuneshwar Chaturvedi, resident of L.I.G. R 337-38, Harmu High Court Colony, Harmu Ranchi, P.O. Harmu, P.S. Doranda, District Ranchi, Jharkhand.
44. Nirmala Hembrom, aged about 43 years, wife of Deepak Lakra, resident of 4F Helen Mansion, K.M. Road, Naya Toli, P.O. Ranchi G.P.O., P.S. Sadar, District Ranchi, Jharkhand.

... Petitioners.

Versus

1. The State of Jharkhand through the Principal Secretary-cum-Legal Remembrancer, Department of Law, Government of Jharkhand

having its office at FFP Building, Second Floor, P.O. Dhurwa, P.S. Dhurwa, District Ranchi, Jharkhand.

2. The Secretary, Department of Finance, Government of Jharkhand having its office at FFP Building, P.O. Dhurwa, P.S. Dhurwa, District Ranchi, Jharkhand.
3. High Court of Jharkhand represented through Registrar General, having its office at High Court Building, Dhurwa, P.O. & P.S. Dhruwa, District Ranchi, Jharkhand.

... Respondents

CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE MANOJ PRASAD

For the Petitioners: Mr Indrajit Sinha, Advocate
For the State: Mr Munna Lal Yadav, S.C.(L&C)-III
For the High Court: Ms Nalini Jha, Advocate
Mr Lokesh Chandra, Advocate

04/Dated: 05.11.2026

***Per* M. S. Sonak, C.J.**

1. Heard Mr Indrajit Sinha for the petitioners, Mr Munna Lal Yadav, learned Standing Counsel (L&C)-III for the State and Ms Nalini Jha, who appears along with Mr Lokesh Chandra for the High Court of Jharkhand.

2. The petitioners challenge the Memo dated 18.03.2025 (Annexure 11) issued under the signature of the Registrar General, High Court of Jharkhand, informing them that their grievance regarding shifting the regular annual increment from 1st of July to 1st of January of the same year cannot be considered.

3. The impugned Memo dated 18.03.2025 reads as follows: -

"High Court of Jharkhand, Ranchi

Memo No.745 / Accts. *Dated: 18/03/2025*

Sri Vijay Kumar Singh, Section Officer,

High Court of Jharkhand, Ranchi

With reference to your representation dated 31.01.2020 & 30.09.2024, regarding shifting the date of regular annual increment from 1st of July to 1st of January, you are hereby informed that a letter has been received from the Principal Secretary cum-Legal Remembrancer, Law Department, Government of Jharkhand, through which it has been informed that the State Govt. has as on date, not adopted the office memorandum bearing memo no. 4-21/2017-IC/E-IIIA dated 28.11.2019, of Department of Expenditure, Finance Ministry, Govt. of India, for its implementation w.r.t. the State Govt. employees.

You are hereby, also directed to inform all the co-representationists, accordingly.

Sd/-
Registrar General
18/3/25"

4. Thus, from a plain reading of the impugned Memo dated 18.03.2025, the main reason for rejecting the petitioners' representation for shifting the date of annual increment was the letter received by the High Court from the Principal Secretary- cum-Legal Remembrancer, Law Department, Government of Jharkhand, through which the High Court was informed that the State Government, has, as on date, not adopted the Office Memorandum dated 28.11.2019 of the Department of Expenditure, Finance Ministry, Government of India for its implementation with respect to the State Government employees.

5. Mr Indrajit Sinha, the learned counsel for the petitioners, submitted that the letter referred to in the impugned Memo dated 18.03.2025 was the letter dated 03.03.2025, at Annexure 10, pages 102 and 103 of the paper book of this petition. He pointed out that although the

letter dated 03.03.2025 stated that the State Government had not adopted the O.M. dated 28.11.2019 issued by the Central Government for its implementation with regard to State Government employees, it further clarified the issue of shifting the date of increment for its employees, and this further clarification was not considered when issuing the impugned Memo dated 18.03.2025.

6. Mr Indrajit Sinha referred to paragraphs 18, 21 and 38 of the State Government's counter affidavit filed on 14.10.2026 in which, it was stated that the petitioners' claim was not declined solely on the ground of non-adoption of O.M. dated 28.11.2019 and that the pay-fixing authority i.e. the High Court, was required to take necessary further action in accordance with Clause 18 of Resolution dated 18.01.2017, which continues to remain applicable to the State Government employees.

7. For the above reasons, Mr Sinha submitted that a case is made out to set aside the impugned memo and direct a reconsideration of the petitioners' representation regarding shifting of increment date.

8. Mr Munna Lal Yadav, on behalf of the State Government, submitted that the State had clarified its position in the affidavit filed on 14.10.2026. He further submitted that the impact of FR 22 (I)(a)(1) also needs to be considered in relation to the shifting of the date of increment.

9. Ms Nalini Jha, the learned counsel for the High Court, submitted that the High Court, apart from going by the letter dated 03.03.2025

at Annexure 10, also considered the impact of FR 22 when disposing of the petitioners' representation.

10. The rival contentions now fall for our determination.

11. The impugned Memo dated 18.03.2025 at Annexure 11 makes no reference to FR 22, and the rejection of the petitioners' representation appears to be premised solely on the letter dated 03.03.2025 by which the State Government was stated to have informed the High Court that it had not adopted the O.M. dated 28.11.2019 issued by the Central Government for its implementation with respect to the State Government employees.

12. At least *prima facie*, we think that the High Court has looked into and relied upon only a portion of what was communicated to it vide the letter dated 03.03.2025 by the State Government.

13. The relevant extract from the State Government's letter dated 03.03.2025 is transcribed below for the ease of reference: -

> *"यद्यपि, व्यय विभाग, वित्त मंत्रालय, भारत सरकार के कार्यालय ज्ञापांक सं० 4-21/2017-IC/E-IIIA दिनांक 28.11.2019 द्वारा लिए गए निर्णय को राज्य कर्मियों पर भी लागू करने संबंधी मामले पर पूर्व में वित्त विभाग द्वारा विचार किया गया था। परन्तु, उक्त मामले में किसी प्रकार का कोई भी निर्णय राज्य सरकार द्वारा नहीं लिया गया है।*
>
> *अंकनीय है कि वित्त विभागीय सकल्प सं० 217/वि० दिनांक 18.01.2017 द्वारा राज्य कर्मियों हेतु स्वीकृत सप्तम वेतन पुनरीक्षण की कडिका-18 में Date of next increment in revised pay structure अंतर्गत स्पष्ट रूप से निम्नांकित निर्णय लिया गया है जो अद्यावधि राज्य कर्मियों के मामले में प्रभावी भी है:-"*
>
> 1. *There shall be two dates for grant of increment namely, 1st January and 1st July of every year, instead of existing date of 1 July: Provided that an employee shall be entitled to only one annual increment either on 1st January or 1st July*

depending on the date of his appointment, promotion or grant of financial upgradation-

2. *The increment in respect of an employee appointed or promoted or granted financial upgradation including upgradation under Modified Assured Career Progression Scheme (MACPS) during the period between the 2nd day of January and 1st day of July (both inclusive) shall be granted on 1st day of January and the increment in respect of an employee appointed or promoted or granted financial upgradation including upgradation under MACPS during the period between the 2nd day of July and 1st day of January (both inclusive) shall be granted on 1st day of July."*

अतः अनुरोध है कि वर्णित परिप्रेक्ष्य में वित्त विभागीय संकल्प सं० 217/वि० दिनांक 18.01.2017 द्वारा राज्य कर्मियों हेतु स्वीकृत सप्तम वेतन पुनरीक्षण की कंडिका-18 में लिए गए निर्णय (जो अद्यावधि राज्य कर्मियों के मामले में प्रभावी है) के आलोक में नियमानुकूल अग्रत्तर कार्रवाई किया जाय।"

14. At least *prima facie*, the aforesaid extract suggests that while the Central Government's O.M. dated 28.11.2019 had not been adopted by the State Government with respect to its employees, the State Government, by relying upon O.M. dated 18.01.2017, had taken some decision with regard to the shifting of the date of increment for the State Government employees. The nature and impact of such decision was also set out in the letter dated 03.03.2025 addressed by the State Government to the High Court.

15. The latter part, referring to the O.M. dated 18.01.2017 and the impact thereof on shifting the date of increment, does not appear to have been considered by the High Court when rejecting the petitioners' representation vide impugned memo dated 18.03.2025. The High Court has only relied upon one portion of the letter dated 03.03.2025 in which it is stated that the State Government has not

adopted the Central Government O.M. dated 28.11.2019, in so far as the State Government's employees are concerned.

16. Besides, in this matter, Mr Ravindra Ranjan, Under Secretary, Law Department, has filed an affidavit on behalf of the State Government on 14.10.2026. Paragraphs 18, 21 and 38 of this affidavit are relevant, and therefore they are transcribed below for the ease of reference:-

> *"18. That the answering respondent is not the pay-fixing authority in respect of the petitioners.*
>
> *21. That with regard to the statement in para 3 of the writ petition, it is stated and humbly submitted that the questions of law formulated therein are submissions of the petitioners and shall be dealt with by the learned counsel at the time of hearing.* ***However, it is submitted that the answering respondent did not decline the petitioners' claim solely on the ground of non-adoption of the OM dated 28.11.2019. Its Letter No. 446 dated 03.03.2025 specifically recorded that Clause 18 of Resolution No. 217/Fin. Dated 18.01.2017 continues to remain applicable to State Government employees and that necessary further action be taken in accordance therewith, as stated in reply to Para-16.***
>
> *38. That with regard to the statement made in para-24 of the writ petition, it is stated and humbly submitted that the statements made therein in so far as they relate to the answering respondent, are denied.* ***The answering respondent did not proceed solely on the ground of non-adoption of the OM dated 28.11.2019. Its Letter No. 446 dated 03.03.2025 specifically recorded that Clause 18 of Resolution No. 217/Fin. dated 18.01.2017 continues to remain applicable to State Government employees and that necessary further action be taken accordingly."***

17. The above extracted paragraphs from the State Government's affidavit clearly state that the State Government had not declined the petitioners' claim solely on the ground of non-adoption of O.M. dated 28.11.2019 and that Clause-18 of the Resolution dated 18.01.2017 continues to remain applicable to the State Government employees and further that necessary action can be taken in accordance therewith by the pay-fixing authority, i.e. the High Court.

18. Since the impugned memo appears to proceed almost exclusively on the basis of non-adoption of the Central Government's O.M. dated 28.11.2019, without considering the State Government's letter dated 03.03.2025 in its entirety or the statements now made in the State Government's affidavit filed in this matter, we are satisfied that the interest of justice would be met if the impugned memo dated 18.03.2025 (Annexure-11) is set aside and the High Court is directed to reconsider the petitioners' representation in the light of the State Government's communication dated 03.03.2025, especially with regard to the resolution/O.M. dated 18.01.2017 and the provisions of FR 22 referred to in the affidavit filed on behalf of the State Government and the High Court in this matter. Accordingly, we do so.

19. The High Court must now dispose of the petitioners' representations afresh, having due regard to the text of the above-quoted State Government's communication dated 03.03.2025, the Resolution/O.M. dated 18.01.2017, the statements in the State

Government's affidavit filed in this matter, and the provisions of FR 22. The High Court must dispose of the representations as expeditiously as possible, preferably within three months of today. The decision may be communicated to the learned counsel for the petitioners, who may in turn communicate it to the petitioners herein.

20. The observations made by us in the order are only prima facie; therefore, the High Court should dispose of the petitioners' representations in accordance with law, on its own merits, and after considering the above factors referred to by us in this order. Such fresh consideration should not be influenced by any of the prima facie observations in this order or by the affidavits filed on behalf of the State Government and the High Court.

21. This petition is allowed in the above terms without any order for costs.

22. All concerned should act on an authenticated copy of this order.

(M. S. Sonak, C.J.)

(Manoj Prasad, J.)

November 05, 2026

N.A.F.R.

M.Kr./Sharda/Cp.2

Uploaded on 06.11.2026