IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P(S). No. 5328 of 2023

Asit Kumar Haldar, aged about 60 years, son of late Prabhkar Haldar, resident of Village-Chandil, P.O+P.S Chandil, District-Seraikela, Kharsawan(Jharkhand) **.....Petitioner**

Versus

1. The State of Jharkhand through its Secretary, Water Resources Development Department, Government of Jharkhand, Nepal House, P.O+P.S Doranda, District Ranchi
2. The Chief Engineer, Swarnrekha Multipurpose Project, Chandil Complex, Swarnrekha Bhawan, Adityapur, Jamhedpur, P.O+P.S Jamshedpur, District Ranchi, Jharkhand **.....Respondents**

CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioners : Mr. Birendra Kumar, Advocate
: Mr. Raj Kishore Sahu, Advocate

For the Respondents: Mr. Anuj Burman, A.C to GA-IV

07/ Dated: 05.05.2026

1. The instant application has been preferred by the petitioner for considering the case of the petitioner for promotion to the post of Junior Selection Grade retrospectively and grant him consequential monetary benefits on the following grounds:

   i. *Vide letter no.542, dated 16-03-2004, the petitioner was promoted on the post of Junior Selection Grade from that of the post of correspondence Clerk, alongwith other employees including Pravash Chandra Saw, Samir Banerjee and Sudarshan Gope;*

   ii. *However, the operation of the said letter no.542, dated 16-03-2004, was stayed with immediate effect vide letter no.713 dated 06-11-2004;*

   iii. *Subsequently, vide letter no.771, dated 06-05-2010, the said employee namely, Pravash Chandra Saw, who was similarly situated was given promotion/reestablishment to the post of Junior Selection Grade;*

iv. The petitioner possesses, all the requisite qualifications for holding the post of Junior Selection Grade, and though the post was vacant and the cases of similarly situated employees, namely, Pravash Chandra Saw, Samir Banerjee and Sudarshan Gope were considered and they were given promotion, yet the case of the petitioner was left out for extraneous consideration and for the reasons best known to the respondents;

2. The brief facts of the case is that the petitioner vide letter contained in Memo No. 542, dated 16.03.2004 was promoted on the post of Junior Selection Grade from that of the post of Correspondence Clerk alongwith other employees including Pravash Chandra Saw, Samir Banerjee and Sudarshan Gope. The Petitioner is standing at Serial no.10. Co-employees Pravash Chandra Saw stands at serial no.2, Samir Banerjee at Serial No.4 and Sudharsan Gope at Serial No.6 as is evident from the Chart dated 12-03-2004.
3. However, vide letter contained in memo no.713, dated 06-04-2004, because of some allegations made by Staff Union, the then Chief Engineer got the execution and implementation of the letter no.542 dated 16-03-2004 stayed with immediate effect and thereafter, vide letter no.771, dated 06-05-2010, issued by respondent no.2, the case of similarly situated employee Pravash Chandra Saw was considered for promotion and he was given promotion on the post of Junior Selection Grade, observing that his name finds, place in Serial no.2 of letter no.542 dated 16-03-2004 (Annexure-I).
4. When the case of the aforesaid co-employees was considered, but no consideration was given to the case of the petitioner; he made a representation dated 17-11-2011 to respondent no.2, but no action was taken by him till today, and after retirement, the petitioner has again made written representation dated 17-07-2023, praying for consideration of his case for promotion and consequential monetary benefits, but nothing happened into the matter.

5. The learned counsel for the petitioner submits that the only grievance of the petitioner is that his matter/representation is still pending before the Chief Engineer who is the 2nd respondent in this case, for consideration of his name for promotion to the post of Junior Selection Grade retrospectively, and to grant him consequential monetary benefits.
6. He further submits that unfortunately, the representation which was filed before the year 2023 has not yet been considered. Accordingly, the concerned respondent be directed to pass a final order in accordance with applicable rules and regulations and address the issues raised by the petitioner in the instant case.
7. There is no objection from the respondents.
8. Having regard to the aforesaid, the instant application stands disposed of, by directing the petitioner to file a fresh representation before the Respondent No. 2 along with all relevant documents which is applicable to him within a period of 4 weeks.
9. The moment, the 2nd respondent will receive the representation, he shall address each and every issue after verification of record, in accordance with applicable rules and regulations and settled proposition of law, by passing a reasoned and speaking order within a period of 12 weeks.
10. It goes without saying that, if the case of the petitioner is found favourable, consequential order also be issued within a further period of 4 weeks.

(Deepak Roshan, J.)

Abha/-

05.05.2026