IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P(S). No. 8470 of 2026

Asif Iqbal, aged about 36 years, S/o- Jamil, R/o- House No. 330/2, Sarna Toli,Kadru, P.O Doranda, P.S.-Argora, District-Ranchi, Jharkhand.

…..Petitioner

Versus

1. The State of Jharkhand, through Chief Secretary, Government of Jharkhand, having its Office at Project Building, H.E.C., P.O. Dhurva P.S. Jagannathpur, District- Ranchi, Jharkhand.

2. The Secretary, Department of Welfare, Government of Jharkhand, having its office at Project Building, H.E.C., P.O.-Dhurva, P.S.-Jagannathpur, District-Ranchi, Jharkhand.

3. The Secretary, Department of Finance, Government of Jharkhand, having its office at Project Building, H.E.C., P.O.-Dhurva, P.S.-Jagannathpur, District-Ranchi, Jharkhand.

4. The Secretary, Jharkhand State Minority Commission, Dhurwa, P.O & P.S Dhurwa, Ranchi, Jharkhand

5. The Commissioner/Competent Authority, Department of Welfare, Government of Jharkhand, P.O.&P.S. Ranchi, Jharkhand.

6. The Director, Department of Welfare, Government of Jharkhand, P.O.&P.S.- Kadru, Ranchi, Jharkhand. **…Respondents**

CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioners : Mr. Prem Pujari Roy, Advocate
For the Respondents : Mr. Sanjay Kr. Tiwari, SC-I

02/ Dated: 27.10.2026

1. Heard learned counsel for the parties.

2. The instant writ application has been preferred by the petitioner praying therein for the following reliefs:

"i. For issuance of an appropriate writ(s), order(s) and/or direction(s), particularly a writ in the nature of Mandamus commanding

upon the respondents to immediately & forthwith consider the candidature of the petitioner for being regularized on the post of Driver and/or any other equivalent / suitable post, in commensuration with his educational qualifications and experience; and accordingly be absorbed in the permanent establishment, with effect from the date of his initial appointment/joining 16.05.2016; specially appreciating the fact that he is rendering/discharging his services continuously on the said post of Driver, at his current place of posting, since 16.05.2016 onwards, i.e. from the date of his initial joining till date, i.e. for more than 10 years; on contractual basis, and is thus eligible in all aspects to be considered for absorption/regularization, under law.

b. Further, commanding upon the respondents to consider the candidature of the petitioner for regularization/absorption of his services especially taking into consideration the dictum laid down by the Hon'ble Supreme Court of India, in the case of Narendra Kumar Tiwary Vs State of Jharkhand passed in CA No. 7423-7429 of 2018; in compliance whereof the State of Jharkhand come up with the regularization rules/scheme popularly known as the Jharkhand State Regularization Rule 2015 (झारखण्ड सरकार के अधिनस्थ अनियमित रूप से नियुक्त एवं कार्यरत कर्मचारियों की सेवा नियमितीकरण नियमावली २०१५), to be read with its subsequent amendement notification dated 20.06.2019 done, in compliance of the direction passed by the Hon'ble Supreme Court of India, issued in the aforementioned case; wherein it has been postulated that all such daily wage workers who have been rendering their services for 10 years,their services shall be regularized; and also taking into consideration the fact that exercising the aforesaid regularization rules the services of several other contractual /daily wage workers stood regularized like in the case of one Sri Somra Toppo, Sri Anil Sharma and many more from other departments, whereas the regularization / absorption of this petitioner has been discriminated arbitrarily.

c. Further, commanding upon the respondents to consider the candidature of the petitioner for regularization/absorption of their services in permanent establishment especially taking into consideration the recent ratio laid down by this Hon'ble Court in consonance with the ratio laid down by Hon'ble Supreme Court of India in catena of Judgment including the recent guidelines postulated in the case of Jaggo vs Union of India and Ors. passed in SLP (C) 5580 of 2024, Shripal & Anr. Vs Nagar Nigam, Ghaziabad passed in Civil Appeal No. 8157 of 2024; C.A. no. 8558/2018 Dharam Singh & Ors. Vs. State of U.P. & Anr.; Narendra Kumar Tiwari & Ors passed in Civil Appeal Nos. 7423-7429 of 2018 Arising out of S.L.P. (Civil) Nos. 19832-19838 of 2017, W.P.(S) No.4822 of 2018 Baleshwar Prasad Verma Vs. The State of Jharkhand & Ors passed by Division Bench, S.L.P(C) Diary No. 19126 of 2025 The State of Jharkhand & Ors. Vs. Baleshwar Prasad Verma, Dharam Singh & Ors. vs State of U.P and Anr.; Civil Appeal No.(s) 8558 of 2018, W.P.(S) No. 1352 of 2025 Radheshyam Mandal vs. the State of Jharkhand & Ors, L.P.A. No. 176 of 2023 Moti Ram vs. the State of Jharkhand & Ors., and many more; whereunder time and again it has been reiterated by the Hon'ble Apex Court, as well as this Hon'ble Court, to regularize services of all such

> *persons who are working on contractual basis / daily wages and completed more than 10 years of services even irrespective of working against sanctioned and vacant post but in-spite of that the respondents have not considered the case of these petitioner till date for regularization; and further, consequently prays for a further direction to make computation & payment of all benefits admissible under law, from their initial appointment/joining, till date."*

3. Learned counsel for the petitioner submits that though the petitioner is fully entitled for the prayer made in the instant writ application; however, the grievance of the petitioner has not been redressed.

4. Learned counsel for the respondents fairly submits that since no counter affidavit has been filed; as such the petitioner may be directed to approach the concerned respondent by filing a fresh representation, who shall look into the matter so that the grievance of the petitioner can be redressed.

5. Having regard to the aforesaid submissions and without going into the merits of the case, the instant writ application is hereby disposed of by directing the respondent No. 2 to look into the grievance of the petitioner by treating this writ application as representation and take a decision in the matter in accordance with law and applicable rules and regulations and also Annexure nos. 4 and 6 appended to this writ application, and also in light of the judgments passed by the Hon'ble Apex Court in the case of ***Jaggo v. Union of India*** reported in ***2024 SCC OnLine SC 3826, Dharam Singh and Ors. V. State of U.P and Anr.*** Reported in ***2025 SCC OnLine SC 1735 and Bhola Nath v. State of Jharkhand & Ors***. reported in ***2026 SCC OnLine SC 129*** by passing a reasoned and speaking order within a period of 12 weeks from the date of receipt of copy of this order and communicate the same to the petitioner. The petitioner may serve a copy of this writ application along with the relevant documents to the concerned respondent for convenience.

6. It goes without saying that if the decision is taken in favour of the petitioner, necessary consequential order be passed within a further period of 2 weeks. It is further clarified that if the petitioner is still working, he shall not be disengaged from service and shall receive regular remuneration.

7. Pending I.A., if any, also stands closed.

(Deepak Roshan, J.)

27.10.2026

Abha/-