

Court on Its Own Motion Vs. State of Jharkhand and ors

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Court : Jharkhand

Decided On : Jun-21-2013

Appellant : Court on Its Own Motion

Respondent : State of Jharkhand and ors

Judgement :

IN THE HIGH COURT OF JHARKHAND AT RANCHI W.P.(PIL) No.2526 of 2012
Gopi Nandan Prasad Petitioner Vrs. State of Jharkhand & Ors.
Respondents ----- CORAM: HONBLE THE CHIEF JUSTICE HONBLE MRS.
JUSTICE JAYA ROY ----- For the Petitioner : Mr. Sumeet Gadodia, Amicus
Curiae For the State : Mr. Shamim Akhtar For the UPSC : Mr. Faizur Rahman,
Advocate Order No.13 Dated 21st June, 2013. Heard learned counsel for the
parties on I.A. No. 2873 of 2013 by which some grievances have been raised
which is pertaining to individuals and that has nothing to do with the subject matter
of this PIL whereby this Court wants to see that the vacancy of IAS cadre may be
filled up, how it is filled up, it is decided by the Government in accordance with rule
and such grievance cannot be entertained here. Therefore, this I.A. Is dismissed
with liberty to the petitioner to avail remedy which is available to him in accordance
with law. I.A. No. 2873 of 2013 stands dismissed. This Court has already made it
clear to the State Government as on 6th February, 2013 in the order no.10 that
31st March given to the State for completing the job is not the minimum time given
to State but maximum time given to the State and State was expected to do the
job before that period. The recommendation sent for the consideration and that too
in the cadre of IAS was found to be absolutely unsatisfactory to the extent of being

objectionable. After taking note of this type of working of the State officials, this Court gave 31st March as a last time for completing the job of selection of officers in the cadre of IAS from the State. The State is virtually denying the benefit of IAS cadre to the State employees. Now after 31 st March, almost three months are going to pass by 30 th June and we found that no substantial progress is in the matter. If the names are not considered and the recommendations are not sent by the State to the appropriate authority, by or before 20 th July, 2013, the Principal Secretary, Department of Personnel, Administrative Reforms and Rajbhasha, Government of Jharkhand shall remain present in Court with an explanation as to why recommendation has not been sent to the appropriate authority. Put up this case on 20th July, 2013. (Prakash Tatia, C.J.) (Jaya Roy, J.) SI/Anit

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