

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (S) No. 57 of 2023

With

I.A. No. 2481 of 2023

Lalti Devi	...	...	Petitioner
Versus			
State of Jharkhand & Others	...	...	Respondents

CORAM: HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner	: Mr. Mukesh Kumar Mehta, Advocate
For the Resp.-State	: Mr. Shubham Mishra, Advocate

05/5th February 2024

I.A. No. 2481 of 2023

1. The learned counsel for the petitioner has submitted that certain error has been crept in paragraph No. 1(II) of the writ petition. The date mentioned in the fourth line of page No. 4 paragraph No. 1 (II) would be 14.06.2020 instead of 14.06.2022. He has also submitted that in the same paragraph the name of “Department of Personnel Administrative Reform and Rajbhasha, Government of Jharkhand” be deleted and the “respondent No. 3” be inserted. The learned counsel submits that although no specific prayer with regard to insertion of respondent No. 3 has been made in the interlocutory application, but it is the respondent No. 3 who is the competent authority to take a call in the matter.
2. The learned counsel for the respondents has no serious objection to the prayer made.
3. Considering the aforesaid submissions, I.A. No. 2481 of 2023 is hereby allowed to the following extent: -
 - (a) The date mentioned in page No. 4 paragraph 1(II) is permitted to be corrected to 14.06.2020 instead of 14.06.2022.
 - (b) The Department of Personnel Administrative Reform and Rajbhasha, Government of Jharkhand be deleted in the said paragraph and respondent No. 3 be inserted.
4. Let the aforesaid amendments be carried out during the course of day in red ink.
5. Learned counsel for the parties have advanced their arguments.

6. The learned counsel for the respondents while referring to the counter-affidavit has referred to page No. 19 (Annexure-B) to submit that at the stage of block level only two Multi-Tasking Staffs could have been employed. Multi-tasking Staff included, Driver, Peon, Safaikarmi, Sweeper, Care Taker, Generator Operator, Night Guard and Typist. The learned counsel has submitted that one driver and one night guard have been inducted pursuant to the said circular dated 15.07.2022 but it is not clear as to when they were inducted. The case of the petitioner is that she has been working since 14.06.2010 and except for a short intervening period she continued to work and as per the instructions received by the petitioner she is continuing to work as on date.

7. The learned counsel for the respondents is directed to seek instructions and file a supplementary-counter-affidavit in the present case giving the details of the driver and the night watchman bringing on record their appointment letter and also inform this Court as to whether the petitioner can be adjusted under the aforesaid circular having been working with the respondents as a sweeper since a long time . The affidavit should be filed by the Deputy Commissioner or a person duly authorized by him.

8. If there are any dues of the petitioner for the work she has done or for the work she is doing, the same be immediately released to the petitioner.

9. The supplementary-counter-affidavit be filed by 29.02.2024.

10. Post this case on 4th March 2024.

(Anubha Rawat Choudhary, J.)

Mukul