

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(S) No.360 of 2023

- 1.Nagendra Prasad Rastogi, S/o Late Ganesh Prasad Rastogi, R/o Awal Mohalla Chatra, Ward No.2, P.O. & P.S. Chatra, Dist- Chatra
- 2.Murari Singh, S/o Late Sheo Narayan Singh, R/o Vill- Dhangartoli, P.O. & P.S. Chatra, District Chatra
- 3.Surendra Kumar Singh, S/o late Sheo Narayan Singh, R/o Village- Bhojiya, P.O. Kamta (Lame), P.S. Chatra, District Chatra
- 4.Bijendra Choudhary, S/o Late Rameshwar Choudhary, R/o Village-Ram Nagar, P.O. Hazaribag, P.S. Hazaribag, Dist- Hazaribag
- 5.Bindeshwari Singh, S/o Late Madan Singh, R/o Village- Buddhuchak, P.O. & P.S. Fathua, Dist Patna Bihar

.... Petitioner(s).

Versus

- 1.The State of Jharkhand
- 2.The Principal Secretary, Finance, Govt. of Jharkhand
- 3.The Principal Chief Conservator of Forest, Govt. of Jharkhand
- 4.the Divisional Forest Officer, North Chatra Division, P.O. & P.S. Chatra, Dist Chatra
- 5.The Divisional Forest Officer, South Chatra Division, P.O. & P.S. Chatra, Dist Chatra

... Respondent(s)

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Akhouri Sankalp, Advocate
 For the State : None

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08/ 28.01.2026: No one appears on behalf of the State.

2. Heard, learned counsel for petitioners.

3. Learned counsel for the petitioner submits that so far as petitioner Nos.1, 3 and 5, after filing this writ petition, they have been given the benefit of the increments and order was passed in favour of them. He refers to Annexure 'A' i.e. order dated 02.12.2025 to the counter affidavit.

4. So far as petitioner Nos.2 and 4 are concerned, he submits that no order has been passed.

5. The issue involved in respect of release of increments, which has been withheld on the ground that petitioners have not passed the Tribal Language Examination. The issue as to whether in the Forest Department in the District of Chatra, where the petitioners are

working whether it is necessary to pass Tribal Language for annual increments has been taken note of and decided by the Bench of this Court in Urmila Devi vs. State of Jharkhand & Others [W.P.(S) No.4265 of 2007]. The Court after considering the Rule 4.2 of the Bihar Forest Rules, held that the same is applicable in certain district, but the provision for passing Tribal Language Examination is not applicable for Chatra District.

6. Considering the aforesaid judgment in the case of Arjun Prasad vs. The State of Jharkhand [W.P.(S) No.7031 of 2011] another co-ordinate Bench has held that in the District of Chatra it is not necessary to pass the regional Tribal Language Examination.

7. Vide Memo No.3202 dated 02.12.2025, having office order No.91 attached with the counter affidavit, the respondents have also considered the aforesaid judgment and passed order in respect of three of the petitioners, namely, Nagendra Prasad Rastogi, Surendra Kumar Singh and Bindeshwari Singh i.e. petitioner Nos.1, 3 and 5.

8. Considering the aforesaid fact, I direct the respondents to pass a similar order in favour of rest of the petitioners also, considering the judgment of Urmila Devi (supra).

9. Respondents are directed to release the increments in favour of the petitioners within a period of ten weeks from the date of receipt of a copy of this order.

10. With the aforesaid observations and direction, the instant writ petition stands disposed of.

(ANANDA SEN, J.)