

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(S) No. 1711 of 2026

1. Santosh Murmu, aged about 24 years, S/o Subhash Murmu, R/o Village Latouna, P.O. Latouna, P.S. Pathargama, Panchayat-Latouna District-Godda, Jharkhand.
 2. Mithilesh Murmu, aged about 29 years, S/o Vijay Murmu, R/o Village Latouna, P.O. Latouna, P.S. Pathargama, Panchayat Latouna, District Godda, Jharkhand
- Petitioner(s).**

Versus

1. The State of Jharkhand.
2. The Deputy Commissioner-cum- District Magistrate, Godda, having office at Collectorate Building, P.O. + P.S. + District Godda, Jharkhand.
3. The Deputy Development Commissioner, Godda having office at Collectorate (Deputy Commissioner Office), P.O. + P.S. + District Godda, Jharkhand.
4. The Circle Officer, Godda, having office at Block Development Office/ Circle Office, P.O. + P.S. + District Godda, Jharkhand
5. Block Development Officer, Godda, having office at Block Office/ Block Development Office, P.O. + P.S. + District Godda, Jharkhand

... Respondent(s).

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s)	: Mr. Shadab Bin Haque, Advocate Ms. Nisha Kumari, Advocate Mr. Aaryamann Relan, Advocate
For the Respondents	: Mr. Srikanth Swaroop, AC to AAG

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03/ 18.03.2026: The candidature of the petitioners was rejected though he was provisionally appointed on the ground that he is a resident of an adjoining 'Beat'.

2. This is the case for appointment of Chowkidar pursuant to Advertisement No.01 of 2024.

3. In similar matter, the Division Bench of this Court vide judgment dated 19.09.2025 passed in W.P.(S) No.1498 of 2025 and analogous cases, have held that it is not mandatory that the person who is seeking appointment should be of the same 'Beat' rather a person of nearby 'Beat' can also be appointed, paragraph No. 28 reads as under:

"28. We are of the view that the purpose behind incorporation of Clause 9 in the Advertisement No.01 of 2024 is that the authorities should know about the 'Beat' of a particular candidate so that as far as possible, his/her appointment is to be made within his/her residential 'Beat area' or in the neighbouring 'Beat' for smooth functioning of the duty of 'Chowkidar'. This interpretation of the advertisement will be in consonance with the provisions of the Rules, 2015 and the same will also achieve the purpose behind it.

On the contrary, if the interpretation of Clause 9 of the said advertisement as suggested by the petitioners is accepted, it will lead to absurdity and will also be inconsistent with the provisions of the Rules, 2015.”

4. Considering the judgment passed by the Hon’ble Division Bench, this Court has also passed a judgment vide judgment dated 09.03.2026 passed in W.P.(S) No.1442 of 2026, paragraph Nos.4 to 6 read as under:

“4. The issue of reservation on the ground of residence in respect of appointment to the post of “Chowkidar”, has been dealt with by this Court and the Division Bench of this Court.

4.1. The Division Bench of this Court vide order dated 19.09.2025 in W.P.(S) No.1498 of 2025 (Pintu Kumar Vs. The State of Jharkhand & Ors.) and other Analogues cases, while interpreting Clause-9 and the Rules of the “Jharkhand Chowkidar Cadre Rules, 2015”, has held that it is not mandatory that the person should be a resident of the same ‘Beat’ to get appointment as “Chowkidar”. It has been further held that the person of the nearby ‘Beat’, can also be considered for appointment. It is necessary to quote para-28 of order dated 19.09.2025, which reads as hereunder:-

“28. We are of the view that the purpose behind incorporation of Clause 9 in the Advertisement No.01 of 2024 is that the authorities should know about the ‘Beat’ of a particular candidate so that as far as possible, his/her appointment is to be made within his/her residential ‘Beat area’ or in the neighbouring ‘Beat’ for smooth functioning of the duty of ‘Chowkidar’. This interpretation of the advertisement will be in consonance with the provisions of the Rules, 2015 and the same will also achieve the purpose behind it. On the contrary, if the interpretation of Clause 9 of the said advertisement as suggested by the petitioners is accepted, it will lead to absurdity and will also be inconsistent with the provisions of the Rules, 2015.”

4.2. Further, this Court vide order dated 06.01.2026 in W.P.(S) No.7243 of 2025 (Deepak Das Vs. The State of Jharkhand & Ors.), considering the aforesaid order of the Division Bench, has allowed the said writ petition, holding therein that there cannot be reservation based on the permanent residence of the applicants.

5. The impugned decision clearly suggests that only on the ground that the petitioner is not a resident of the same ‘Beat’, the case of the petitioner was not considered, thus the reasoning and the grounds to reject the petitioner’s claim, are not in accordance with law.

6. From what has been discussed hereinabove, in my opinion, this case is covered by the order dated 19.09.2025 passed by the Division Bench of this Court in W.P.(S) No.1498 of 2025 and other Analogues cases, and also the order dated 06.01.2026 passed by this Court in W.P.(S) No.7243 of 2025. The impugned Decision dated 21.01.2026, which is part of Annexure-7 to the writ petition (relating to the petitioner), is hereby set aside.”

5. Admittedly the case of the petitioners is squarely covered by the

aforesaid judgment as the impugned order clearly suggests that the petitioners are of a different 'Beat' and not of the 'Beat' where they are supposed to be appointed thus, their appointment was cancelled. Hence, the order of cancellation of provisional appointment is absolutely bad and is against the judgment of the Division Bench of this Court. Therefore, the impugned order passed by the respondents is set aside.

6. The respondents are directed to reconsider the case of the petitioners and pass an appropriate order by issuing the appointment letter.

7. Accordingly, this writ petition is allowed.

8. Pending IAs, if any, stands disposed of.

(ANANDA SEN, J.)

18th March, 2026
Madhav/-
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