

W.P.(S) No. 582 of 2023			
Mina Kumari and others	...	...	Petitioners
Versus			
State of Jharkhand and Ors.	...	...	Respondents

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner(s) : Mr. Ajit Kumar, Sr. Advocate
: Mr. Shekhar Prasad Gupta, Advocate
: Mr. Abdullah Umar, Advocate
: Mr. Ravi Kumar, Advocate
: Mr. Rahul Kamlesh, Advocate

For the JSSC	: Mr. Sanjoy Piprawall, Advocate
	: Mr. Rakesh Ranjan, Advocate
	: Mr. Prince Kumar, Advocate
For the State	: Mr. Shivam Anand Pathak, AC to SC III
	: Mr. Mihir Kunal Ekka, AC to SC I
	: Mr. Luv Kumar Tiwary, AC to AAG V
	: Mr. Rajesh Kr. Singh, AC to SC (L&C) II
	: Mr. Ajay Kr. Jha, AC to GP 6
	: Mrs. Chaitali C. Sinha, AC to AAG I-A
	: Mrs. Pinky Tiwary, AC to AG
	: Mr. Gaurang Jajodia, AC to GP II
	: Mrs. Varsha Ramsisaria, AC to GP V
	: Mrs. Shilpi, AC to SC (Mines) II
	: Ms. Amrita Banerjee, AC to GP I

09/16.04.2024

The learned counsels for the parties are present.

2. Heard the learned counsels for the parties .

I.A. No.669 of 2023 and I.A. No.3283 of 2023 in W.P.(S) No.111 of 2023

3. The learned counsel appearing on behalf of the intervenors submits that intervention applications have been filed on behalf of the other candidates and they seek to be impleaded as co-petitioners in the present case as the cause of action is one and the same.

4. The learned counsel for the respondents has opposed the prayer and has submitted that each of the petitioners has their own individual grievances and appropriate pleadings are required for each and every petitioner. He has also submitted that the persons cannot be permitted to be impleaded as co-petitioners through an interlocutory application.

5. Considering the aforesaid facts and circumstances, this Court is of the considered view that intervention applications seeking impleadment as co-petitioners in this writ petition are not maintainable and accordingly, I.A. No.669 of 2023 and I.A. No.3283 of 2023 are dismissed.

6. However, liberty is reserved with the intervenors to avail their remedy in accordance with law.

7. From the perusal of the writ petitions which have been filed by a number of candidates, the foundational details in connection with one or the other petitioners i.e. the subject in which the petitioners had applied, the category, the district etc. are completely missing. In

absence of these basic pleadings, the respondents are also finding it difficult to respond to the specific case of the petitioners. Further, it is also required to be pleaded by the petitioners by giving the details of name etc. of the candidates in their respective category in their subject who have secured less marks than one or the other petitioners and have been appointed from the state wise merit list prepared by the respondents by the orders of the Hon'ble Supreme Court. It is also clear from the order of the Hon'ble Supreme Court that so far as 425 candidates who were party in the writ petitions had a different status altogether and they were to be given appointment on priority basis subject to the fact that they had obtained more than the cut off marks of the last selected candidate in their respective category.

8. The learned counsels have jointly submitted that the process of filing up the remaining advertised post is to be strictly followed step as directed by the Hon'ble Supreme Court in the judgment dated 15.12.2022.

9. Let the supplementary affidavit on behalf of each of the writ petitions be filed within a period of three weeks from today.

10. Upon filing of the supplementary affidavit by the petitioners, the respondent-JSSC shall file a supplementary counter affidavit taking into consideration the averments made in the supplementary affidavit as well as the averments made in the rejoinder already placed on record by the petitioners.

11. The counter affidavit of the respondents should also indicate as to whether there is any further vacant post to be filled up which could not be filled up on account of the candidates having obtained less marks than the cut off marks.

12. Post these cases on 19.06.2024 under the heading for “Final Disposal”.

13. Let these matters be treated as part heard.

(Anubha Rawat Choudhary, J.)