

THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (S) No. 1701 of 2021

Mihir Kumar Mahto.....

Petitioner(s)

Versus

The State of Jharkhand through the Secretary, Human
Resources Dept., Jharkhand & Ors.....

Respondents

.....

Coram: Hon'ble Mr. Justice Ananda Sen

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For the Petitioner

: Mr. Amit Kumar Tiwary, Advocate

For the Respondents

: Ms. Shaurya, AC to SC-II

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5/15.12.2022 It has been admitted by the State that juniors to the petitioner have been given the benefit of pay scale, but the petitioner has been denied the same.

The ground taken by the State is that since there was an order of the High Court, the juniors to the petitioner, have been granted the said benefits. This statement means the State is unnecessarily pushing the candidates to approach the Court to get similar benefit, granted to similar person. When an order was passed by the Court and pursuant to that juniors to the petitioner have been promoted, as a Welfare State the same benefit should have been extended to the petitioner, who admittedly is senior. By not doing so and by forcing the Teachers to knock the door of this Court, means the State is making them litigants. This action of the State is highly deprecated.

Further, it has been submitted by the State that Civil Review applications are pending before this Court and no order has been passed.

The State should know that mere filing of an appeal or review does not operate as stay.

Thus, I direct the State to consider the case of this petitioner immediately and inform this Court since juniors to the petitioner have been extended the benefit of the pay scale.

List this case on **Wednesday, i.e. 21.12.2022.**

Let a copy of this order be handed over to the learned Assisting Counsel to learned Standing Counsel-II.

(Ananda Sen, J)