

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(S) No. 582 of 2023

Mina Kumari & Ors.

... .. Petitioner(s)

Versus

The State of Jharkhand through the Chief Secretary and Ors.

... .. Respondent(s)

With

W.P(S) No.6775 of 2018, W.P(S) No.1204/2019, W.P(S) No.111/2023, W.P(S) No.148/2023, W.P(S) No. 301/2023, W.P(S) No.739 of 2023, W.P(S) No.755 of 2023, W.P(S) No.937 of 2023, W.P(S) No.1476 of 2023, W.P(S) No.1503 of 2023, W.P(S) No.1693 of 2023, W.P(S) No.1756 of 2023, W.P(S) No.1840 of 2023, W.P(S) No.1869 of 2023, W.P(S) No.2044 of 2023, W.P(S) No.2506 of 2023, W.P(S) No.2777 of 2023, W.P(S) No.2917 of 2023, W.P(S) No.3099 of 2023, W.P(S) No.3196 of 2023, W.P(S) No.3273 of 2023, W.P(S) No.3355 of 2023, W.P(S) No.3438 of 2023, W.P(S) No.3598 of 2023, W.P(S) No.3654 of 2023, W.P(S) No.3890 of 2023, W.P(S) No.4007 of 2023, W.P(S) No.4008 of 2023, W.P(S) No. 4072 of 2023, W.P(S) No.4095 of 2023, W.P(S) No.4106 of 2023, W.P(S) No.4124 of 2023, W.P(S) No.4138 of 2023, W.P(S) No.4219 of 2023, W.P(S) No.4324 of 2023, W.P(S) No.4326 of 2023, W.P(S) No.4431 of 2023, W.P(S) No.4662 of 2023, W.P(S) No.4664 of 2023, W.P(S) No.4780 of 2023, W.P(S) No.5138 of 2023, W.P(S) No.5261 of 2023, W.P(S) No.5307 of 2023, W.P(S) No.5406 of 2023, W.P(S) No.5603 of 2023, W.P(S) No.5866 of 2023, W.P(S) No.5878 of 2023, W.P(S) No.5976 of 2023, W.P(S) No.6010 of 2023, W.P(S) No.6157 of 2023, W.P(S) No.6296 of 2023, W.P(S) No.6469 of 2023, W.P(S) No.6907 of 2023, W.P(S) No.6981 of 2023, W.P(S) No.7496 of 2023, W.P(S) No.7498 of 2023, W.P(S) No.422 of 2024, W.P(S) No.462 of 2024, W.P(S) No.603 of 2024, W.P(S) No.727 of 2024, W.P(S) No.736 of 2024, W.P(S) No.741 of 2024, W.P(S) No.1256 of 2024, W.P(S) No.1555 of 2024, W.P(S) No.1638 of 2024, W.P(S) No.1877 of 2024, W.P(S) No.1915 of 2024, W.P(S) No.2003 of 2024, W.P(S) No.2017 of 2024, W.P(S) No.2034 of 2024, W.P(S) No.2119 of 2024, W.P(S) No.2123 of 2024, W.P(S) No.2133 of 2024, W.P(S) No.2226 of 2024, W.P(S) No.2282 of 2024, W.P(S) No.2400 of 2024, W.P(S) No.2402 of 2024, W.P(S) No.2404 of 2024, W.P(S) No.2480 of 2024, W.P(S) No.2481 of 2024, W.P(S) No.2493 of 2024, W.P(S) No.2528 of 2024, W.P(S) No.2583 of 2024, W.P(S) No.2622 of 2024, W.P(S) No.2712 of 2024, W.P(S) No.2716 of 2024, W.P(S) No.2724 of 2024, W.P(S) No.2816 of 2024, W.P(S) No.2901 of 2024, W.P(S) No.2953 of 2024, W.P(S) No.3051 of 2024, W.P(S) No.3052 of 2024, W.P(S) No.3078 of 2024, W.P(S) No.3095 of 2024, W.P(S) No.3096 of 2024, W.P(S) No.3132 of 2024, W.P(S) No.3149 of 2024, W.P(S) No.3445 of 2024, W.P(S) No.3511 of 2024, W.P(S) No.3521 of 2024, W.P(S) No.3563 of 2024, W.P(S) No.3569 of 2024, W.P(S) No.3596 of 2024, W.P(S) No.3604 of 2024, W.P(S) No.3790 of 2024, W.P(S) No.3820 of 2024, W.P(S) No.3964 of 2024, W.P(S) No.3968 of 2024, W.P(S) No.4024 of 2024, W.P(S) No.4050 of 2024, W.P(S) No. 4067 of 2024, W.P(S) No.4090 of 2024, W.P(S) No.4220 of 2024, W.P(S) No. 4246 of 2024, W.P(S) No.4373 of 2024, W.P(S) No. 4505 of 2024, W.P(S) No.4510 of 2024, W.P(S) No.4523 of 2024, W.P(S) No.4536 of 2024, W.P(S) No.4595 of 2024, W.P(S) No.4613 of 2024, W.P(S) No. 4639 of 2024, W.P(S) No.4662 of 2024, W.P(S) No. 4700 of 2024, W.P(S) No. 4709 of 2024, W.P(S) No.4761 of 2024, W.P(S) No.4769 of 2024, W.P(S) No. 4796 of 2024, W.P(S) No. 4818 of 2024, W.P(S) No. 4834 of 2024, W.P(S) No.4835 of 2024, W.P(S) No.4837 of 2024, W.P(S) No. 4840 of 2024, W.P(S) No.4847 of 2024, W.P(S) No.4868 of 2024, W.P(S) No.4876 of 2024, W.P(S) No.4884 of 2024, W.P(S) No.4893 of 2024, W.P(S) No.4898 of 2024, W.P(S) No. 4926 of 2024, W.P(S) No. 4930 of 2024, W.P(S) No.4932 of 2024, W.P(S) No.4948 of 2024, W.P(S) No.4949 of 2024, W.P(S) No. 4972 of 2024, W.P(S) No.4974

of 2024, W.P(S) No.4978 of 2024, W.P(S) No.4999 of 2024, W.P(S) No.5019 of 2024, W.P(S) No. 5026 of 2024, W.P(S) No. 5044 of 2024, W.P(S) No.5055 of 2024, W.P(S) No. 5075 of 2024, W.P(S) No.5104 of 2024, W.P(S) No. 5112 of 2024, W.P(S) No.5134 of 2024, W.P(S) No.5139 of 2024, W.P(S) No. 5155 of 2024, W.P(S) No.5171 of 2024, W.P(S) No.5174 of 2024, W.P(S) No.5182 of 2024, W.P(S) No.5197 of 2024, W.P(S) No.5214 of 2024, W.P(S) No. 5271 of 2024, W.P(S) No.5279 of 2024, W.P(S) No.5283 of 2024, W.P(S) No. 5285 of 2024, W.P(S) No.5310 of 2024, W.P(S) No. 5338 of 2024, W.P(S) No.5341 of 2024, W.P(S) No.5342 of 2024, W.P(S) No.5343 of 2024, W.P(S) No.5371 of 2024, W.P(S) No. 5373 of 2024, W.P(S) No.5383 of 2024, W.P(S) No.5390 of 2024, W.P(S) No.5391 of 2024, W.P(S) No.5405 of 2024, W.P(S) No.5406 of 2024, W.P(S) No.5430 of 2024, W.P(S) No.5431 of 2024, W.P(S) No.5432 of 2024, W.P(S) No.5433 of 2024, W.P(S) No.5447 of 2024, W.P(S) No.5451 of 2024, W.P(S) No.5496 of 2024, W.P(S) No.5503 of 2024, W.P(S) No. 5504 of 2024, W.P(S) No.5505 of 2024, W.P(S) No.5526 of 2024, W.P(S) No.5540 of 2024, W.P(S) No.5541 of 2024, W.P(S) No.5548 of 2024, W.P(S) No.5572 of 2024, W.P(S) No.5616 of 2024, W.P(S) No.5645 of 2024, W.P(S) No.5658 of 2024, W.P(S) No.5659 of 2024, W.P(S) No.5665 of 2024, W.P(S) No.5692 of 2024, W.P(S) No.5699 of 2024, W.P(S) No.5714 of 2024, W.P(S) No.5732 of 2024, W.P(S) No.5758 of 2024, W.P(S) No.5766 of 2024, W.P(S) No.5767 of 2024, W.P(S) No.5773 of 2024, W.P(S) No.5783 of 2024, W.P(S) No.5792 of 2024, W.P(S) No.5795 of 2024, W.P(S) No.5802 of 2024, W.P(S) No.5805 of 2024, W.P(S) No.5821 of 2024, W.P(S) No.5831 of 2024, W.P(S) No.5832 of 2024, W.P(S) No.5833 of 2024, W.P(S) No.5849 of 2024, W.P(S) No.5871 of 2024, W.P(S) No.5873 of 2024, W.P(S) No.5883 of 2024, W.P(S) No.5891 of 2024, W.P(S) No.5907 of 2024, W.P(S) No.5909 of 2024, W.P(S) No.5962 of 2024, W.P(S) No.5988 of 2024, W.P(S) No.5997 of 2024, W.P(S) No.6012 of 2024, W.P(S) No.6030 of 2024, W.P(S) No.6125 of 2024, W.P(S) No.6146 of 2024, W.P(S) No.6176 of 2024, W.P(S) No.6189 of 2024, W.P(S) No.6277 of 2024, W.P(S) No.6293 of 2024, W.P(S) No.6294 of 2024, W.P(S) No.6296 of 2024, W.P(S) No.6315 of 2024, W.P(S) No.6320 of 2024, W.P(S) No.6569 of 2024, W.P(S) No.6586 of 2024, W.P(S) No.6597 of 2024, W.P(S) No.6599 of 2024, W.P(S) No.6611 of 2024, W.P(S) No.1724 of 2025, W.P(S) No.1764 of 2025, W.P(S) No.1777 of 2025, W.P(S) No.1779 of 2025, W.P(S) No.1881 of 2025, W.P(S) No.1976 of 2025, W.P(S) No.2005 of 2025, W.P(S) No.2011 of 2025, W.P(S) No.2071 of 2025, W.P(S) No.2078 of 2025, W.P(S) No.2378 of 2025, W.P(S) No.2398 of 2025, W.P(S) No. 2403 of 2025 and W.P(S) No. 2470 of 2025.

CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

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Mr. Anand Kr. Sinha, Advocate
Mr. Abhishek Sharan, Advocate
Ms. Ganga Kumari Kachhap, Advocate
Mr. Mukesh Kr. Sinha, Advocate
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M/s. Ajit Kumar, Shekhar Prasad Gupta,
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For the Respondent(s)

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: Mrs. Pinky Tiwary, A.C to A.G
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Mr. Munna Lal Yadav, S.C(L&C)-III
Mr. Jazeb Iqbal, A.C to S.C(L&C)-III
[W.P(S)Nos.3273/23,5603/23,2404/24,4050/24,4884/24,5572/24,6320/24,1
976/25, 2071/25]
Mr. Mukul Kr. Singh, A.C to G.P.-III
[W.P(S) Nos. 4008/23,727/24,1555/24,4246/24,5433/24,5548/24]
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[W.P(S) No. 4219/23]
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Mr. Anuj Burman, A.C to G.A.-IV
[W.P(S) Nos. 741/24,4523/24,5182/24,5214/24,5714/24,2005/25,4746/22]
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[W.P(S) No. 4818/24]
Mr. Pankaj Kumar Dubey, Advocate
[W.P(S) No. 4072/23]
Ms. Deepika Jajowar, A.C to S.C.-VI
[W.P(S) Nos.4780/23,1915/24,2226/24,3820/24,4505/24,4834/24,4893/24,5279/24]
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[W.P(S) No. 4868/24]
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[W.P(S) Nos. 2044/23, 1840/23,4007/23]
Mr. Rishabh Kaushal, A.C to G.P.-II
[W.P(S) Nos. 1503/23,2003/24,4898/24,5155/24,5338/24]
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Mr. Ashok Kumar, AAG-IV
Mr. Ashutosh Anand No.2, AC to GP-IV
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Mr. Rakesh Kumar Shahi, Advocate

Order No. 33/Dated: 7th April, 2026

All these writ applications were disposed of by a common order dated 01.09.2025 by appointing Hon'ble Dr. Justice S.N. Pathak (Retd.) as One-Man Fact-Finding Commission to look into the matter of irregularities and illegalities, if any, committed in the matter of preparation and publication of the revised merit list pursuant to the judgment and order passed by the Hon'ble Apex Court.

2. Today, the case has been listed only for appointing another One-Man Fact-Finding Commission due to the fact that Hon'ble Dr. Justice S.N.Pathak (Retd.) due to some personal difficulty has declined to take up the assignment.

3. Learned counsel for the State and J.S.S.C strongly objected the change of name. When it was asked as to whether this order has been stayed or not, they simply said that they have filed an appeal before Division Bench of this Court being L.P.A. No. 764 of 2025 and L.P.A No. 803 of 2025 on 26.09.2025 and 07.11.2025 respectively.

4. Having regard to the aforesaid facts and circumstances of the case Hon'ble Justice (Retd.) Gautam Kumar Choudhary is appointed as One-Man Fact-Finding Commission in place of Hon'ble Dr. Justice S.N.Pathak (Retd.) to look into the matter of irregularities and other directions given in Paras-51 to 57 of order dated 01.09.2025. For brevity, the same paras are extracted in this order also:

"51. Accordingly, to maintain institutional integrity and ensure an impartial enquiry a one-man commission headed by a former judge of this Court is being constituted. Hon'ble Dr. Justice S.N. Pathak (Retd.) is appointed as a One-Man Fact-Finding Commission to look into the matter of irregularities and illegalities, if any, committed in the matter of preparation and publication of the revised merit list pursuant to the judgment and orders passed by the Hon'ble Apex Court in the matters referred to above. The One-Man Fact-Finding Commission is requested to make an enquiry and report, inter alia, on the following issues:

- I. Whether the respondent JSSC has at all prepared the revised merit list and other merit lists as per the judgment and orders of the Hon'ble Apex Court before making appointments after the judgment dated 02.08.2022 ?*
- II. Who are and how many numbers of 'already appointed and protected candidates' having lesser marks than the marks obtained by the petitioners have been accommodated and whether their actual dates of appointment and*

joining is prior to and as per the judgment dated 02.08.2022 passed by the Hon'ble Apex Court or not ?

- III. *Who are and how many numbers of 'original writ petitioners' as indicated in the judgment of the Hon'ble Apex Court having lesser marks than the petitioners in their respective subjects have been appointed by the respondents and whether they deserve to be included in the said category ?*
- IV. *Whether the vacancies indicated to be occupied by the absentees or non-joining candidates in the year 2019 which is large in number and not surrendered have been actually filled up by the respondents by less meritorious candidates?*
- V. *Further it shall also be required to be verified as to, whether the candidates whose candidature was rejected on valid reasons have been later on favoured with appointments and the candidates who have lesser marks than the petitioners have actually been appointed prior to the judgment of the Hon'ble Apex Court or after 02.08.2022 ?*
- VI. *Any other aspect / issue which the One-Man Fact-Finding Commission may think fit and proper.*

52. In view of the above, the One-Man Fact-Finding Commission is requested to make an enquiry into the aspects referred to in Paragraph No.50 of this Judgment within a period of three months from the date of receipt of this Judgment and submit its report to the State Government, which may be placed before the Hon'ble Council of Ministers for taking an informed decision on the report and recommendations of the One-Man Fact-Finding Commission. The Final decision of the State Government must be taken within 6 weeks from the date of submission of the report by the One-Man Fact-Finding Commission.

53. This Court further directs that the State Government shall take final decision on the above referred report and the issue involved as indicated herein below:

- (i) *How to appoint/adjust the genuine candidates?*
- (ii) *To take appropriate actions to remove the non-eligible candidates;*
- (iii) *To take action against erring officials / staffs of the concerned Department/JSSC; both departmentally and/or criminally.*

54. The One-Man Fact-Finding Commission is free to devise the mechanism and procedure for making the enquiry as directed by this Court and it shall be free to consider issuing a general notice inviting objections/representations from the writ petitioners only and after hearing all the concerned may prepare the report so that the orders passed by the Hon'ble Apex Court are complied with in its letters and spirit.

It is further clarified that the One-Man Fact-Finding Commission would be empowered to summon any person/(s) /Official/(s) of the Respondents and/or call for any documents in original from them for proper enquiry as aforesaid.

55. It is worth mentioning here that the Learned Advocate General has, during course of his arguments, made a proposal that the Petitioners may approach the Secretary of the JSSC raising their individual claims and their grievances can be redressed at that level subject to the available vacancies. Though this Court appreciates the proposal made by Ld. A.G.; however, in the attending facts and circumstances, this Court is declining to accept such proposal of sending the Petitioners to JSSC itself for the purpose of enquiry into the issues mentioned in Paragraph-50 of this Judgment, for which purpose a One-Man FactFinding Commission is being appointed and the Petitioners would be at liberty to place their claims in the form of Representations and supporting documents before the One-Man Fact-Finding Commission, as already observed earlier.

56. This Court also directs that the already appointed candidates shall not be disturbed until final outcome of the enquiry and if any appointment or appointments are found to be wrongful or in breach of the directions of the Hon'ble Apex Court; the concerned candidate will be afforded due opportunity before any final action is taken with respect to their services.

57. The State Government is directed to make all necessary arrangements to effective functioning of the One-Man Fact-Finding Commission including providing of Secretarial Staff and other support staff. The State Government must ensure that the sittings of the Commission are held at a venue that the One-Man Commission may decide. The One-Man Fact-Finding Commission must be paid a sum of Rs. 6,00,000/- (Rupees Six Lakh Only) as remuneration. The same must be paid within three equated monthly instalments."

5. Accordingly, the Registry is directed to send the copy of

this order along with the orders dated 01.09.2025 and order dated 04.09.2025, wherein some typographical error was rectified, to Hon'ble Justice (Retired) Gautam Kumar Choudhary.

6. It goes without saying that State Government is directed to make all necessary arrangements for effective functioning of the One-Man Fact-Finding Commission including providing of Secretarial Staff and other support staff as directed in the earlier order indicated hereinabove.

7. With the above modification / observation / direction, all these writ application stands closed.

(Deepak Roshan, J.)

7th April, 2026
Jk
Uploaded on
10 /04/2026