

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(S) No. 2004 of 2019

Binod Kumar Jha, aged about 50 years, s/o Late Jai Rudra Jha,
r/o Booty More, P.O. Booty, P.S. Sadar, Dist. Ranchi

..Petitioner

Versus

1. The State of Jharkhand
2. The Principal Secretary, Finance Department, Government of Jharkhand, Project Bhawan, P.O. P.S. Doranda, Ranchi
3. The Secretary, Agriculture, Animal Husbandary and Co-operative Department, Government of Jharkhand, Nepal House, P.O. P.S. Doranda, Dist. Ranchi
4. The Director, Animal Husbandry Department, Government of Jharkhand, Krishi Bhawan, Laxmi Niwas, P.O. Ranchi University, P.S. Gonda, Dist. Ranchi

..Respondents

With

W.P.(S) No. 2011 of 2019

Sukumar Nair, aged about 49 years, s/o Late Narayanan Nair,
r/o Qr. No. C-32, Government Quarter, Kanke Road, P.O. Kanke, P.S. Gonda, Dist. Ranchi

..Petitioner

Versus

1. The State of Jharkhand
2. The Principal Secretary, Finance Department, Government of Jharkhand, Project Bhawan, P.O. P.S. Doranda, Ranchi
3. The Secretary, Agriculture, Animal Husbandary and Co-operative Department, Government of Jharkhand, Nepal House, P.O. P.S. Doranda, Dist. Ranchi
4. The Director, Animal Husbandry Department, Government of Jharkhand, Krishi Bhawan, Laxmi Niwas, P.O. Ranchi University, P.S. Gonda, Dist. Ranchi.

..Respondents

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CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioner(s) : Mr. Manoj Tandon, Advocate
M/s. Nikhil Ranjan, Neha Bhardwaj,
Ritwik Raj, Advocates

For the Respondents : Mr. Rahul Kamlesh, A.C to S.C.-IV

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08/06.04.2026

Since both these writ petitions are dealing with common issues, as such, with consent of the parties; both were heard together and being disposed of by this common order.

2. Both the instant writ applications have been preferred by the petitioners praying therein for quashing the order dated 08.02.2018 and amendment dated 14.03.2018 (Annexure-7 Series), wherein the respondent

no. 4 has rejected the claim of the petitioners for re-fixation of pay and Grade pay of Rs. 2800/- .

3. The petitioners have earlier moved before this Court for the said relief in W.P.(S) No. 4680 of 2016, which was disposed of by order dated 18.09.2017 observing as under:

“In view of the submissions made by the learned counsel for the parties, without going into the merits of this case, I hereby direct the respondents to consider the case of the petitioners and pass a reasoned order on the pending representation of the petitioners particularly taking into consideration Annexure 3 & 4 to the writ petition or in alternative, if the petitioners prefer a fresh representation annexing all the required documents along with a copy of this order, the respondents will consider and pass a reasoned order preferably within a period of six weeks from the date of receipt of a copy of this order.

With these observations and directions, this writ petition stands disposed of.”

4. During course of hearing of this proceeding, on 29.06.2021 an observation was given that since the petitioner failed to bring on record the letter/document showing absorption on Class-III post, at this juncture no relief can be given to him; however time was granted to the petitioner to bring on record the letter/document showing absorption on Class-III Post. For brevity, the order dated 29.06.2021 in W.P.(S) No. 2004 of 2019 is extracted hereinbelow:

“Mr. Indranil Bhaduri, learned Counsel representing the State submits that already counter-affidavit has been filed and as the petitioner was adjusted in class IV post, he cannot be given the benefit of class III post or fixation of salary on class III post.

However, since the petitioner failed to bring on record the letter/document showing absorption on class III post, at this juncture no relief can be given to him.

However, some time is granted to the petitioner to bring on record the letter/document showing absorption on class III post.

Put up this case after four weeks by way of last indulgence.”

5. Mr. Tandon, learned counsel for the petitioners draws attention of this Court towards Annexure-11, which is appended to supplementary affidavit wherein it is evident that the petitioners were employee of class-III post. As a matter of fact, in the writ application itself at Annexure-1, it is evident that the petitioners were employees of Class-III posts. Accordingly, this Court is having no hesitation in directing the concerned respondent to pay all emoluments of Class-III post. Ordered accordingly.

6. Accordingly, the impugned orders dated 08.02.2018 and 14.03.2018 are, hereby, quashed. The respondents are directed to verify the records of the case and re-fix the monetary benefits of the petitioners considering them as Class-III employees. It goes without saying that after calculation the differential monetary benefit be extended to the petitioners. The entire exercise shall be completed within a period of 12 weeks.

7. Accordingly, both these writ application stand allowed. Pending I.A(s), if any, stands closed.

(Deepak Roshan, J.)

6th April, 2026

Jk

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