

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(S) No. 3958 of 2025

1. Ravi Shankar, aged about 67 years, Son of Late Gouri Shankar, Resident of Near Devi Mandir, Bhawanipur, P.O. & P.S.-Doranda, Dist.-Ranchi.
2. Kameshwar Prasad, aged about 62 years, Son of Ishwari Prasad, Resident of Amritlok Complex, A-Block, Flat No. 302, Bye-Pass Road, Alkapuri, Dibdih, P.O. & P.S.-Doranda, Dist.-Ranchi.
3. Rajeev Ranjan Dayal Alok, aged about 65 years, Son of Ishwar Dayal, Resident of 384, Ashirwad Devi Nagar, Hesag, P.O.-Hatia, P.S.-Hatia, Dist.-Ranchi.
4. Mohammad Yusuf, aged about 65 years, Son of Akbar Ali, Resident of Arbind Ashram, P.O. & P.S.-Doranda, Dist.-Ranchi.
5. Kedar Nath Chaubey, aged about 69 years, Son of Chandar Chaubay, Resident of Village-Mahupi, PO & PS-Garhwa, Dist.-Garhwa.
6. Naresh Thakur, aged about 68 years, Son of Gajo Thakur, Resident of Kani Bazar (K.B. Road), Munka Bagicha, P.O. & P.S.-Sadar Hazaribag, Dist.-Hazaribag.
7. Binay Kumar Diwakar, aged about 75 years, Son of Late Gauri Shankar Diwakar, Resident of Near Hanuman Mandir, Pawan Colony, P.O. & P.S.-Hinoo, Dist.-Ranchi.
8. Subhash Chandra Mehta, aged about 60 years, Son of Late Mukhaijya Mahto, Resident of Virat Nagar, Lowadih, P.O.-Namkum, P.S.-Namkum, Dist.-Ranchi.
9. Deepak James Tigga, aged about 65 years, Son of Joseph Tigga, Resident of Bhuyian Toli, Shanti Nagar, P.O. & P.S.-Namkum, Dist.-Ranchi.
10. Md. Esrarul Haque, aged about 68 years, Son of Fajle Haque, Resident of Main Road, India Medical Hall, Tinpahar, P.O. & P.S.-Sahibganj, Dist.-Sahibganj.
11. Anirudh Prasad Singh, aged about 66 years, Son of Baldeo Prasad Singh, Resident of Shiv Narayanpur, P.O.-Mathurapur, P.S.-Kahal Gaon, Dist.-Bhagalpur, Bihar.
12. Surendra Prasad Yadav, aged about 72 years, Son of Ramchandra Yadav, Resident of Ward No. 5, Village-Kisandaspur, P.O. & P.S.-Budhuchak, Dist.-Bhagalpur, Bihar
13. Kalidas Pathak, aged about 68 years, Son of Brahandeo Narayan Pathak, Resident of Majhar Tola, P.O. & P.S.-Sahibganj, Dist.-Sahibganj.
14. Sandeep Kumar Gupta, aged about 60 years, Son of Basant Lal Gupta, Resident of House No. 4Z/18A, New Area, Vardan Medico, PO- Ranchi University, P.S.-Bariatu, Dist.-Ranchi.
15. Bishwanath Ram, aged about 68 years, Son of Nanhak Ram, Resident

of Near Bazar Samiti, Village- Daiiya, P.O. & P.S.- Medninagar, (Sudna) Dist.-Palamau.

16. Sunil Kumar, aged about 65 years, Son of Late D.P. Srivastava, Resident of House No. 1081, Asha Gayatri Nagar Colony, Near Global Indian School, Maruti Nagar, P.O. & P.S.-Ramna, Dist.-Varanasi (U.P.).

17. Mukesh Narayan, aged about 64 years, Son of Shyam Narayan Ram, Resident of Masala Mandi, Chitkohra Bazar, P.O. & P.S.- Anisabad, Dist.- Patna, Bihar.

18. Niranjana Kumar Sinha, aged about 68 years, Son of Yogesh Chandra Sinha, Resident of Gopinath Ghosh Lane, P.O.-Champa Nagar, P.S.-nathnagar, Dist.-Bhagalpur, Bihar.

19. Md. Shakil Ahsan, aged about 72 years, Son of Late Md. Farid, Resident of D-2, Habib Heights, Road No. 1, Near Girja Ghar, Resaldar Nagar, PO & P.S.-Doranda, Dist.-Ranchi. **Petitioner(s)**

Versus

1. The State of Jharkhand through Chief Secretary, Govt. of Jharkhand, Office at Project Building, P.O. and P.S.- Dhurwa, Dist.-Ranchi.

2. Principal Secretary, Finance Department, Government of Jharkhand, Project Building, Dhurwa, P.O. and P.S. Dhurwa, District Ranchi.

3. Principal Secretary, Labour Employment and Training Department, Government of Jharkhand, Nepal House, Doranda, P.O. and P.S. Doranda, District Ranchi.

4. Joint Secretary, Finance Department, Government of Jharkhand, Project Building, Dhurwa, P.O. Dhurwa, P.S. Jagannathpur, District Ranchi.

5. Labour Commissioner, Labour Employment and Training Department, Government of Jharkhand, Shram Bhawan, Doranda, P.O. and P.S. Doranda, District Ranchi.

6. Joint Labour Commissioner, Labour Employment and Training Department, Government of Jharkhand, Shram Bhawan, Doranda, PO and PS Doranda, District Ranchi **Respondent(s)**

With

W.P.(S) No. 3970 of 2025

1. Pawan Jee, aged about 67 years, Son of Sri K.P. Sinha, Resident of 4-G, Nishan Residency Teacher's Colony, Dimna Road, Near Rajasthan Bhawan, P.O. & P.S.-Mango, Dist.-East Singhbhum.

2. Ramesh Rajak, aged about 69 years, Son of Late Sita Ram Rajak, Resident of Flat No. F/3, C-Block, Kamdhenu Apartment, Marine Drive Road, Kadma, P.O. & P.S.-Kadma, Dist.- East Singhbhum.

3. Rakesh Kumar Sinha, aged about 62 years, Son of Nagendra Kumar Sinha, Resident of Flat No. 5/3, Ranjan Apartment, E.C.C. Main Road, Kadma, P.O. & P.S.-Kadma, Dist.-East Singhbhum.

4. Rakesh Kumar, aged about 67 years, Son of Surendra Bahadur, Resident of Flat No. A 3/8 Kamdhenu Apartment, Marin Drive Road P.O. & P.S.-Kadma, Dist.-East Singhbhum

5. Arvind Kishore Sinha, aged 69, Son of Birendra Kumar Sinha, Resident of Village+P.O.-Mango, Gurudwara Road, Khas Saheb, Near Shiv Mandir, P.S.-Mango, Dist -East Singhbhum

6. Anand Shekhar, aged about 66 years, Son of Muni Deo, Resident of H. No. 46/H, Lane No. 3, Mandir Path, Bhatiya Basti, Kadma, P.O. & P.S.-Kadma, Dist.-East Singhbhum.

... .. **Petitioner(s)**

Versus

1. The State of Jharkhand through Chief Secretary, Govt. of Jharkhand, Office at Project Building, P.O. and P.S.- Dhurwa, Dist-Ranchi

2. Principal Secretary, Finance Department, Government of Jharkhand, Project Building, Dhurwa, P.O. and P.S.-Dhurva, District Ranchi

3. Principal Secretary, Labour Employment and Training Department, Government of Jharkhand, Nepal House, Doranda, P.O. and P.S. Doranda, District Ranchi.

4. Joint Secretary, Finance Department, Government of Jharkhand, Project Building, Dhurwa, P.O. Dhurwa, P.S. Jagannathpur, District Ranchi.

5. Labour Commissioner, Labour Employment and Training Department, Government of Jharkhand, Shram Bhawan, Doranda, P.O. and P.S. Doranda, District Ranchi.

6. Joint Labour Commissioner, Labour Employment and Training Department, Government of Jharkhand, Shram Bhawan, Doranda, P.O. and P.S. Doranda, District Ranchi.

... **Respondent(s)**

CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioner(s) : Mr. Nagmani Tiwari, Advocate

For the Respondent(s) : Mr. Suresh Kumar, SC (L&C)-II

Order No. 09/Dated: 21st April 2026

In W.P.(S) No.3958 of 2025 the petitioner has made the following prayers:

"1.(i) For quashing the office order no.7 dated 22.04.2019 (Annexure-

12) issued by Joint Labour Commissioner, Labour Employment and Training Department, Government of Jharkhand whereby and whereunder the proposal for grant of ACP/MACP benefits in the pay scale of Labour Superintendent, Assistant Labour Commissioner has been rejected.

ii. Holding and declaring the action of the respondent rejecting the extension of benefits of grant of ACP/MACP in favour of the petitioner in the pay scale of Labour Superintendent, Assistant Labour Commissioner's post on the basis of clause- 3(iii) of Resolution No. 5207 dated 14.08.2002 of Finance Department is wholly illegal and without jurisdiction, arbitrary and discriminatory in nature.

iii. For direction upon the respondents to grant and give benefits of first A.C.P. in the revised pay band of Labour Superintendent post in the pay band of Rs. 8000-13500/- grade pay of Rs. 5400/-, 2nd A.C.P. in the pay band of Assistant Labour Commissioner post in the pay band of Rs. 10,000-15,200/-grade pay of Rs. 6600/- and 3rd A.C.P. in the pay band of Rs. 15,600-39,100/-grade pay of Rs. 7600/- respectively to the petitioners with effect from the due date.

And/ Or

For issuance of any other appropriate Writ(s)/ order (s) / direction(s) as this Hon'ble Court may deem fit and proper under the facts and circumstances of this case."

2. In W.P.(S) No. 3970 of 2025 the petitioner has made the following prayers:

"1.i. ... For quashing and setting aside the Office Order No. 7 dated 22.04.2019 124 (Annexure-12), issued by the Joint Labour Commissioner, Department of Labour, Employment and Training, Government of Jharkhand (Respondent No. 6), to the extent that it pertains to the Petitioners, whereby and whereunder the proposal for grant of Assured Career Assured Progression (ACP)/Modified Career Progression (MACP) benefits in the pay scale of the post of Labour Superintendent/Assistant Labour Commissioner has been arbitrarily and illegally rejected;

ii. For a declaration that the action of the Respondents, particularly rejection of the Petitioners' entitlement to ACP/MACP benefits in the pay scale of the Labour Superintendent/ Assistant Labour Commissioner on the purported ground that, in terms of Clause 3(iii) of Resolution No. 5207 dated 14.08.2002 and Resolution No. 3594 18.12.2007, the post of Labour Superintendent is not part of the prescribed hierarchical cadre of Labour Enforcement Officer, is wholly arbitrary, discriminatory, illegal, and without jurisdiction;

iii. For issuance of a direction upon the Respondents to extend and grant to the Petitioners the benefits of:

a) The First ACP in the revised pay scale applicable to the post of Labour Superintendent, i.e., Pay Band of Rs. 8000-13500 with Grade Pay of Rs. 5400.

b) The Second ACP in the revised pay scale applicable to the post of Assistant Labour Commissioner, i.e., Pay Band of Rs. 10,000-15,200 with Grade Pay of Rs. 6600; and

c) The Third ACP in the Pay Band of Rs. 15,600-39,100 with Grade Pay of Rs. 7600.

With effect from the respective due dates, along with all

consequential benefits, including arrears of salary and other admissible allowances.

And/Or

Pass such other and further order(s), writ(s), or direction(s) as this Hon'ble Court may deem just, fit, and proper in the facts and circumstances of the present case, in the interest of justice."

3. At the outset, learned counsel for the petitioners submits that the issue involved in these writ applications is squarely covered by the order passed in *W.P.(S) No. 5362 of 2019* and *W.P.(S) No. 4879 of 2021*. As such learned counsel for the petitioners submits that similar order may be passed.
4. Learned counsel for the respondents though does not oppose the aforesaid contention; however, he submits that respondents have challenged the aforesaid orders before the Division Bench and the hearing is awaited.
5. Having regard to the aforesaid facts and circumstances of the case, all these writ applications are disposed of in view of the submission of the learned counsel for the parties that the issue involved in these writ applications is squarely covered by the above referred judgments. Accordingly, similar benefit shall be extended to these petitioners also. However, it is made clear that any benefit given to these petitioners shall be subject to the final outcome of *LPA No. 566 of 2025*.
6. Consequently, the instant writ applications stand disposed of.
7. Pending I.As., if any, also stand disposed of.

(Deepak Roshan, J.)

21st April 2026

Amit

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