

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(S) No. 654 of 2018

Satyadeo Mohan Ghosh

... Appellant

Versus

The State of Jharkhand through The Chief Secretary and Ors.

... Respondent

With

W.P.(S) No.2984 of 2016; W.P.(S) No.3027 of 2016; W.P.(S) No.3031 of 2016; W.P.(S) No.5726 of 2017; W.P.(S) No.08 of 2018 and; W.P.(S) No.2189 of 2018.

CORAM : HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD
HON'BLE MR. JUSTICE RAJESH KUMAR

For the Petitioner : Mr. Jitendra Singh, Sr. Advocate
: Mr. Ajit Kumar, Sr. Advocate
: Ms. Amrita Sinha, Advocate
: Mr. Sameer Saurabh, Advocate
[for W.P.(S) No. 2984 of 2016, W.P.(S) No. 3027 of 2016 and W.P.(S) No. 3031 of 2016]

For the Respondent : Mr. Rajiv Ranjan, Advocate General
: Mr. Krishna Murari, Advocate
: Ms. Amrita Sinha, Advocate
[for W.P.(S) No. 2984 of 2016]

41/Dated: 28th April, 2025

1. Mr. Sameer Saurabh, learned counsel at the outset has submitted that he is advocate on record in W.P.(S) No. 2984 of 2016, however, he is having instructions to argue the matters being W.P.(S) No. 3027 of 2016 and W.P.(S) No. 3031 of 2016 and he will file the appearance on behalf of the petitioners.
2. Mr. Sameer Saurabh, learned counsel appearing in aforesaid three writ petitions has submitted that the validity of the Rule 2016 is under challenge.

3. It has been submitted that the petitioners are aggrieved with the insertion of the quota of 50 per cent of the total posts which has been decided to be filled up from the post of Assistant Engineer to that of the post Executive Engineer.
4. It has further been contended that the same is in the teeth of Articles 14 and 16 of the Constitution of India due to the reason that the Assistant Engineers who have been promoted from the post of Junior Engineer in consequence of having certificate from the AMIE and the moment they have inducted into the cadre of Assistant Engineer, they cannot be allowed to get the benefit of such Assistant Engineers by fixing quota of 40 per cent again for the purpose of consideration of their cases to be promoted as Executive Engineer.
5. Learned Advocate General is present and while addressing the Court he has submitted that the Government has considered the aforesaid issues, which would be evident from the affidavit filed on behalf of the State on 06.04.2023 wherein the specific statement has been given at Para 17 that the respondents are taking due steps to get the amendment done at the earliest.
6. The learned Advocate General, on the basis of the aforesaid statement, has submitted that since the Government is thinking to amend the aforesaid part of the Rule 2016 which is under challenge in the writ petitions.
7. As such, the learned Advocate General has sought for adjournment

awaiting for the amendment which is under consideration with the State Government.

8. Considering the same, the matter is being adjourned to be listed on 17th June, 2025.

(Sujit Narayan Prasad, J.)

(Rajesh Kumar, J.)

Samarth