

IN THE HIGH COURT OF JHARKHAND AT RANCHI**W.P.(S). No. 5888 of 2025**

1. Vishal Hembrom, aged about 28, Son of Nunka Hembrom, resident of village Shripur, P.S. Bandanwar, P.S. Pathargama, Dist. Godda, Jharkhand-814147.
2. Raju Kumar Ray, aged about 25, son of Badal Ray, resident of Village-Pipra, P.O. Mal Mandro, P.S. Thakur Gangti, Dist. Godda, Jharkhand-813208.
3. Shobha Rani Hansda, aged about 21, daughter of Khushi Lal Hansda, resident of village Ghat Banka, P.O. Sarouni Bazar, P.S. Godda, Dist. Godda, Jharkhand-814156.
4. Dipak Kumar, aged about 25 years, son of Ravi Shankar Gandharve, resident of village of Shripur, P.O. Bandanwar, P.S. Pathargama, District Godda, Jharkhand-814147.
5. Jitender Kumar Mandal, aged about 32 years, son of Satyanarayan Mandal, resident of village of Kolbadda, P.O. Mordiha, P.S. Thakurganti, Dist. Godda, Jharkhand 813208.
6. Piparvesh Ekka, aged about 24 years, son of Raja Ekka, resident of village Sauri Chakla, P.O. Surni, P.S. Meharam, Dist. Godda, Jharkhand 814160.
7. Kiran Hansda, aged about 24 years, son of James Hansda, Resident of Village Borachapar, P.O. Hariyari, P.S. Poreyahat, Dist. Godda, Jharkhand.
8. Stenshila Hembrom, aged about 25 years, son of Shiv Kumar Murmu, Resident of village Ghat Banka, P.O. and P.S. Sarouni Bazar, Godda, Jharkhand-814156.

..... **Petitioners****Versus**

1. State of Jharkhand through the Principal Secretary, Department of Home, Prison and Disaster Management, having office at Project Building, Dhurwa, P.O. & P.S. Dhurwa, Dist. Ranchi, Jharkhand.
2. District Magistrate-cum-Deputy Commissioner, Godda, having office at Collectorate Building, P.O. & P.S. Godda, Jharkhand.
3. Superintendent of Police, having office at Collectorate Building, P.O. and P.S. Godda, Jharkhand.

..... **Respondents**

CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioners	:	M/s. Amritansh Vats, Arpan M. Ekka, Ashish Choudhary, Advocates
For the Respondents	:	Mr. Pradeep Kumar, AC to AAG-IV

I.A. No. 3249 of 2026

05/02.07.2026 This application has been preferred by the petitioners for deleting the name of petitioner Nos. 5, 6 and 7, as the grievance of those petitioners have been redressed.

2. There is no objection from the respondents.
3. Accordingly, I.A. No. 3249 of 2026 stands allowed.
4. Counsel for the petitioners is directed to make necessary correction in the cause title of the writ application, in course of the day.

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5. With the consent of the parties, the matter is taken-up for hearing today.
6. The instant writ application has been preferred by the petitioners praying therein for following reliefs:

(i) For issuance of an appropriate writ(s), order (s), direction (s) or a writ in the nature of Mandamus directing the respondents to consider the case of the petitioners for appointment on the post of Chowkidar, pursuant to advertisement No. 01 of 2024 issued under the pen and signature of respondent no. 2.

(ii) For issuance of an appropriate writ(s), order (s), direction(s) or a writ in the nature of Mandamus directing the respondents to issue appointment letter to the petitioners on the post of chowkidar, pursuant to advertisement No. 1 of 2024 issued by the respondent no. 2 as all the petitioners appeared in the recruitment process, because successful in the written test and physical test, and the petitioners have secured more than qualifying marks.

(iii) For issuance of an appropriate writ(s), order (s), direction (s) or a writ in the nature of Mandamus, directing the respondent, in particular respondent no. 2 to issue the result of rest 167 number of vacancies, as the total posts advertised were 276 whereas the result of only 109 posts have been published.

(iv) For issuance of an appropriate writ(s), order (s), direction (s) or a writ in the nature of Mandamus, directing the respondent that during the pendency of this writ petition, the respondents be directed to keep 8 number of post of Chowkidar vacant in the district of Godda for the petitioner, pursuant to advertisement No. 01 of 2024.

7. The brief facts of the case are that the petitioners applied for the post of Chowkidar pursuant to Advertisement No. 01 of 2024 issued for 276 total vacancies in the district of Godda. The written test for the said post was held on 08.10.2024, and the petitioners were successfully shortlisted in the public notices issued on 13.12.2024 and 14.12.2024. They subsequently appeared for and successfully passed the rigorous physical tests conducted on 16.12.2024, 17.12.2024, and 19.12.2024.

8. Thereafter, an order containing the final result was issued on 04.01.2025, in which 167 posts were shown to be vacant. It was also found that candidates possessing lesser marks than the petitioners, were declared successful in the Godda district merit list, despite similar recruitment processes being completed fairly based on marks in all other districts of the State.

9. Subsequently, the petitioners being aggrieved by the respondents; approached the authorities by submitting a representation dated 07.01.2025 praying that the results for the rest of the 167 vacancies be published and the petitioners may be considered for appointment.

However, no action has been taken by the respondents. Hence this writ petition.

10. Learned counsel representing the petitioners submits that the petitioners were provisionally selected, but the provisional list was withdrawn on the ground that they are not a resident of said 'Beat' Area.

11. The Respondents did not deny the aforesaid contention.

12. The issue of reservation on the ground of residence in respect of appointment to the post of "Chowkidar", has been dealt with by this Court and the Division Bench of this Court.

13. The Division Bench of this Court vide order dated 19.09.2025 in *W.P.(S) No.1498 of 2025 (Pintu Kumar Vs. The State of Jharkhand & Ors.)* and other analogues cases, while interpreting Clause-9 of the Advt. No. 01 of 2024 and the Rules of the "*Jharkhand Chowkidar Cadre Rules, 2015*", has held that it is not mandatory that the person should be a resident of the same 'Beat' to get appointment as "Chowkidar".

It has been further held that the person of the nearby 'Beat' can also be considered for appointment. At this stage, it would be profitable to refer para-28 of order dated 19.09.2025 passed in the aforesaid case, which reads as hereunder:-

“28. We are of the view that the purpose behind incorporation of Clause 9 in the Advertisement No.01 of 2024 is that the authorities should know about the ‘Beat’ of a particular candidate so that as far as possible, his/her appointment is to be made within his/her residential ‘Beat area’ or in the neighbouring ‘Beat’ for smooth functioning of the duty of ‘Chowkidar’. This interpretation of the advertisement will be in consonance with the provisions of the Rules, 2015 and the same will also achieve the purpose behind it. On the contrary, if the interpretation of Clause 9 of the said advertisement as suggested by the petitioners is accepted, it will lead to absurdity and will also be inconsistent with the provisions of the Rules, 2015.”

- 14.** Further, a Co-ordinate Bench of this Court vide order dated 06.01.2026 in *W.P.(S) No.7243 of 2025 (Deepak Das Vs. The State of Jharkhand & Ors.)*, considering the aforesaid order of the Division Bench, has allowed the said writ petition, holding therein that there cannot be reservation based on the permanent residence of the applicants.
- 15.** The impugned decision clearly suggests that only on the ground that the petitioners are not a resident of the same ‘Beat’, the case of the petitioners were not considered, thus, the reasoning and the grounds to reject the petitioners’ claim, are not in accordance with law.
- 16.** From what has been discussed hereinabove, in my opinion, this case is covered by the order dated 19.09.2025 passed by the Division Bench of this Court in *W.P.(S) No.1498 of 2025 and other Analogues cases*, and also the order dated 06.01.2026 passed by this Court in *W.P.(S) No.7243 of 2025*.
- 17.** Accordingly, the respondents are directed to reconsider the cases of the petitioners and issue a letter of appointment, if they are otherwise qualified and if there is no other legal impediment.
- 18.** With the aforesaid observation and direction, this writ petition stands allowed. No order as to costs.

(Deepak Roshan, J.)