

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.S No. 289 of 2026

Ganesh Ravidas aged about 71 years, S/o Bhudeb Ravidas, R/o Mohalla-Mharshi Mehi Nagar (Gangta Khurd), P.O & P.S-Godda (T), District- Godda, Jharkhand **... Petitioner(s).**

Versus

1. The State of Jharkhand through the Chief Secretary at Project Building, P.O & P.S-Dhurwa, District-Ranchi.
 2. The Principal Secretary, Deptt. of Finance at Project Building, P.O & P.S Dhurwa, Distt. Ranchi.
 3. The Director of Primary Education, Govt. of Jharkhand at Project Building, P.O & P.S-Dhurwa, Distt. Ranchi.
 4. The District Superintendent of Education, Godda, P.O & P.S-Godda, Distt. Godda.
- ... Opposite Parties**

CORAM :SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Kanti Kumar Ojha, Advocate
: Mr. Pranjal Chaturvedi, Advocate

For the Respondents : Mr.Om Prakash Tiwari, Advocate

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05/21.01.2026: The learned counsel for the petitioner has filed the writ petition seeking the following prayers:-

- i) For issuance of a writ(s)/order(s) / direction(s) commanding and directing the respondents to fix the pension on the basis of increment of salary for the period prior to 01/01/2006 being provided in terms of the resolution No. 1185 dated 02/06/2012 issued by the department of Finance and also the memo No. 35 dated 22/02/2019 where under the pay received in the pay scale/pay band and grade pay of the concerned employee on the date of retirement shall be taken into consideration and the pension payable on w.e.f 01/01/2016 shall be determined by making notional determination of substitute pay scale/ pay band and grade pay after the date of retirement of the concerned employee.

- ii) Further, also fix the pension after rectification in terms of the letter contained in memo no. 35 dated 22/02/2019 issued by the department of Finance and also taking into consideration that vide letter no. 7005-7061 dated 22/09/1998, the petitioner had already been promoted on the post of headmaster at Middle school Shripur Bazar, Circle-Boarijor, w.e.f from 01/03/1995 and subsequently vide letter no. 290 dated 10/02/2025 issued under the signature of the District Superintendent of Education by making rectification the benefit of pay scale of headmaster was granted with date of backlog vacancy i.e. 01/04/1991 and the alleged approved scale was subsequently withdrawn and the benefit of promotion was extended w.e.f 01/03/1995 whereas in terms of the resolution no. 1185 dated 02/06/2012, the state employee/teachers are receiving the increment of scale in between the month of February and June, and the case of the petitioner has been deprived from the said benefit of increment of salary for the alleged period in exercise of arbitrary power and at the same time has also been subjected to discrimination with similarly situated teachers/employees of the state.
3. The learned counsel for the petitioner submits that all the retiral benefits were accorded to him save and except the benefit of increment of salary for the period February 2006 to June 2006 in terms of the resolution no. 1185 dated 02/06/2012.
4. Learned counsel for the State submits that if the petitioner files fresh representation before the respondent no.3, his case will be considered and an appropriate order will be passed, as per law, and if it is found that the petitioner is entitled for any relief, the same will be extended to the petitioner.
5. Considering the submissions of the parties, I direct the petitioner to file a fresh representation within four weeks before the Director of Primary Education, Govt. of Jharkhand,

respondent no.3. On receipt of the said representation, the case of the petitioner will be considered within six weeks .

6. If it is found that the petitioner is entitled for any relief the same be extended to him within 4 weeks thereafter. Further, if it found that the petitioner is not entitled, the reasoned order should be communicated to him within the aforesaid period.

7. Accordingly, this writ petition is disposed of.

(ANANDA SEN, J.)

21.01.2026

Abha/