IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (S) No. 3750 of 2022
(Rajeev Kumar & Ors. Vs. The State of Jharkhand & Ors.)
With
W.P.(S) No.4903 of 2022

CORAM: THE HON'BLE DR. JUSTICE S.N.PATHAK

For the Petitioner : Ms. Aprajita Bhardwaj, Advocate
Ms. Kumari Sugandha, Advocate
For the Respondents : Mr. Manish Kumar, Sr. SC-I
Mr. R.K. Jha, AC to Sr.SC-I
Mr. H.K. Mehta, Advocate
Mr. Ratnesh Kumar, Advocate
Ms. Manjushri Patra, Advocate

I.A. No. 8201 of 2022, 186 of 2023 in W.P.(S) No.3750 of 2022
I.A. No.187 of 2023 in W.P.(S) No.4903 of 2022

10/ 25.04.2023 Mr. Aprajita Bhardwaj, learned counsel for the petitioners does not want to press these interlocutory applications.

Learned counsel for the respondents do not object the same.

According, the aforesaid interlocutory applications stands dismissed as not pressed.

I.A. No.3616 of 2023 in W.P.(S) No.3750 of 2023

This Interlocutory Application has been preferred by the interveners for adding them as party respondents in the cause title of writ petition.

Mr. H.K. Mehta, learned counsel for the interveners submits that if the instant writ petition is allowed and petitioners are considered for promotion, the interveners shall be affected. He further submits that the interveners are necessary parties to be heard before passing final orders in the writ petition and as such, interveners mentioned in the interlocutory application may be impleaded as respondents in the cause title of the main writ petition as well as other records.

Learned counsel for the petitioners has no objection to such prayer.

Accordingly, I. A. No. 3616 of 2023 stands allowed.

The learned counsel for the petitioners is directed to implead the interveners as mentioned in the interlocutory application, as party respondents in the cause title of the main writ petition and other records.

I.A. No.3764 of 2023 in W.P.(S) No.3750 of 2022

This interlocutory application has been filed on behalf of the petitioner No.11, for deleting his name from the array of the parties.

Learned counsel for the petitioners submits that during the pendency of the instant writ petition, the petitioner No.11 has been granted

promotion and as such, the name of the petitioner No.11 may kindly be deleted /expunged from the array of the parties.

Learned counsel for the respondents has no objection to it.

This Court is fully satisfied with the cause shown in para 4 onwards of the said interlocutory application and as such, I.A.No.3764/2023 stands allowed.

Learned counsel for the petitioners is directed to delete the name of petitioner No.11 from the array of the parties, in course of the day.

I.A. No.3765 of 2023 in W.P.(S) No.3750 of 2022

This interlocutory application has been preferred by petitioners for impleadment of proposed respondents as party respondent Nos.7 to 43 as well as for amendment in the prayer portion as well as relevant paras of the main writ petition.

Learned counsel for the petitioners seeks amendment in the prayer portion as well as relevant paras of main writ application, by incorporating the prayer as made in paragraph No.16 of the interlocutory application. She further submits that if the proposed amendment is allowed, the nature of the writ petition shall not be changed. Learned counsel for the petitioners further submits that proposed respondent Nos. 7 to 43 are necessary parties and as such, she may be allowed to implead them as party- respondent Nos.7 to 43 in the array of the parties.

Learned counsel for the respondents has no objection to such prayer.

Let the proposed amendment as made in paragraph No.16 and relevant paras of the interlocutory application be incorporated in para 1 and prayer portion as well as in relevant paras of main writ application. Further, the learned counsel for the petitioner is permitted to implead the proposed respondent as mentioned in this interlocutory application, as party respondent Nos.7 to 43 in the array of the parties.

Accordingly, I.A. No. 3765/2023 stands allowed.

I.A. No.9849 of 2022 in W.P.(S) No.3750 of 2022

This Interlocutory Application has been preferred on behalf of petitioner for amendment in the prayer portion as well as relevant paras of the main writ petition.

Learned counsel for the petitioners seeks amendment in the prayer portion as well as relevant paras of main writ application, by incorporating the prayer as made in paragraph No.21 of the interlocutory application. He further submits that if the proposed amendment is allowed, the nature of the writ petition shall not be changed.

Let the proposed amendment as made in paragraph No.21 and relevant paras of the interlocutory application be incorporated in para 1 and prayer portion as well as in relevant paras of main writ application.

Accordingly, I. A. No. 9849 of 2022 stands allowed.

I.A. No.3615 of 2023 in W.P.(S) No.4903 of 2022

This Interlocutory Application has been preferred by the interveners for adding them as party respondents in the cause title of writ petition.

Mr. H.K. Mehta, learned counsel for the interveners submits that if the instant writ petition is allowed and petitioners are considered for promotion, the interveners shall be affected. He further submits that the interveners are necessary parties to be heard before passing final orders in the writ petition and as such, interveners mentioned in the interlocutory application may be impleaded as respondents in the cause title of the main writ petition as well as other records.

Learned counsel for the petitioners has no objection to such prayer.

Accordingly, I. A. No. 3615 of 2023 stands allowed.

The learned counsel for the petitioners is directed to implead the interveners as mentioned in the interlocutory application, as party respondents in the cause title of the main writ petition and other records.

I.A. No.3766 of 2023 in W.P.(S) No.4903 of 2022

This interlocutory application has been preferred by petitioners for impleadment of proposed respondents as party respondent Nos.7 to 8 as well as for amendment in the prayer portion as well as relevant paras of the main writ petition.

Learned counsel for the petitioners seeks amendment in the prayer portion as well as relevant paras of main writ application, by incorporating the prayer as made in paragraph Nos.16 & 17 of the interlocutory application. She further submits that if the proposed amendment is allowed, the nature of the writ petition shall not be changed. Learned counsel for the petitioners further submits that proposed respondent Nos. 7 to 8 are necessary parties and as such, she may be allowed to implead them as party- respondent Nos.7 to 8 respectively in the array of the parties.

Learned counsel for the respondents has no objection to such prayer.

Let the proposed amendment as made in paragraph Nos.16 & 17 and relevant paras of the interlocutory application be incorporated in para 1 and prayer portion as well as in relevant paras of main writ application. Further, the learned counsel for the petitioner is permitted to implead the proposed respondent as mentioned in this interlocutory application, as a party respondent Nos.7 to 8 in the array of the parties.

Accordingly, I.A. No. 3766/2023 stands allowed.

I.A. No.9848 of 2022 in W.P.(S) No.4903/2022

This Interlocutory Application has been preferred on behalf of petitioner for amendment in the prayer portion as well as relevant paras of the main writ petition.

Learned counsel for the petitioners seeks amendment in the prayer portion as well as relevant paras of main writ application, by incorporating the prayer as made in paragraph No.16 & 17 of the interlocutory application. He further submits that if the proposed amendment is allowed, the nature of the writ petition shall not be changed.

Let the proposed amendment as made in paragraph Nos.16 & 17 and relevant paras of the interlocutory application be incorporated in para 1 and prayer portion as well as in relevant paras of main writ application.

Accordingly, I. A. No. 9848 of 2022 stands allowed.

W.P.(S) No.3750 of 2022 with W.P.(S) No.4903 of 2022

Learned counsel for the petitioners is directed to file amended writ petition separately in both the cases after impleading newly added respondents/interveners, within a period three weeks.

Put up these cases after six weeks.

In the meantime, the respondents may file their rejoinder-affidavit.

(Dr. S.N. Pathak, J.)

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