

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (S) No. 6448 of 2017

Harihar Prasad Singh, son of Late Musafir Singh, resident of Ram
Nagar, Gali No. 7, PO, PS & District-Hazaribagh**Petitioner**

Versus

1. The State of Jharkhand through its Chief Secretary having its office at Project Bhawan, PO & PS: Dhurwa, District- Ranchi.
2. Principal Secretary, Revenue Department, Government of Jharkhand, Project Building, PO & PS: Dhurwa, District-Ranchi.
3. Secretary, Revenue and Land Department, Government of Jharkhand, Project Building, PO & PS: Dhurwa, District-Ranchi.
4. Deputy Secretary, Revenue and Land Department, Government of Jharkhand, Project Building, PO & PS: Dhurwa, District-Ranchi.
5. Principal Secretary, Department of Finance, Government of Jharkhand, Project Building, PO & PS: Dhurwa, District-Ranchi.**Respondents**

With

W.P. (S) No. 6440 of 2017

Dhaneshwar Prajapati, son of Late Rangu Prajapati, resident of
Village & PO: Gosainbaliya, PS: Barkagaon, District-Hazaribagh

.....**Petitioner**

Versus

1. The State of Jharkhand through its Chief Secretary having its office at Project Bhawan, PO & PS: Dhurwa, District- Ranchi.
2. Principal Secretary, Revenue Department, Government of Jharkhand, Project Building, PO & PS: Dhurwa, District-Ranchi.
3. Secretary, Revenue and Land Department, Government of Jharkhand, Project Building, PO & PS: Dhurwa, District-Ranchi.
4. Deputy Secretary, Revenue and Land Department, Government of Jharkhand, Project Building, PO & PS: Dhurwa, District-Ranchi.
5. Principal Secretary, Department of Finance, Government of Jharkhand, Project Building, PO & PS: Dhurwa, District-Ranchi.**Respondents**

With

W.P. (S) No. 6470 of 2017

Awadh Kishore Prasad, son of Late Kailash Prasad, resident of
Village-Lahrajpur, PO: Katauna, PS: Katri Sarai, District-Nalanda
(Bihar)**Petitioner**

Versus

1. The State of Jharkhand through its Chief Secretary having its

- office at Project Bhawan, PO & PS: Dhurwa, District- Ranchi.
 2. Principal Secretary, Revenue Department, Government of Jharkhand, Project Building, PO & PS: Dhurwa, District- Ranchi.
 3. Secretary, Revenue and Land Department, Government of Jharkhand, Project Building, PO & PS: Dhurwa, District- Ranchi.
 4. Deputy Secretary, Revenue and Land Department, Government of Jharkhand, Project Building, PO & PS: Dhurwa, District- Ranchi.
 5. Principal Secretary, Department of Finance, Government of Jharkhand, Project Building, PO & PS: Dhurwa, District- Ranchi.
-Respondents**

.....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioner(s) : Mr. Ashim Kr. Sahani, Advocate
Mr. Ajit Kumar, Advocate

For the Respondent(s) : Mr. Jai Prakash, AAG-IA
[W.P(S) Nos. 6440/17 & 6470/17]
Mr. J.F. Toppo, G.A.-V
[W.P.(S) No. 6448/17]

07/Dated:-17.03.2026

1. Heard learned counsels for the parties. Since the issue is common in all these writ applications; as such, all are heard together and being disposed of by this common order.
2. These writ applications have been preferred by the respective petitioners praying therein for the same relief which reads as under:

For grant of an appropriate writ in the nature of Certiorari or an order or direction for quashing Clause-7 of Resolution dated 26/10/2012 contained in Memo No. 4/2010-2322/Vi. issued by the respondent no. 5 (Annexure-2) whereby the Finance Department of the Government of Jharkhand took a decision for extending the benefit of Assured Career Progression (ACP) to Circle Inspector-cum-Kanoongo in the scale of Rs.5000-8000 vis-à-vis the benefit of 2nd ACP in the scale of Rs.6500-10500 to those Karmchhari who are Graduates and for an appropriate writ in the nature of Mandamus commanding upon the respondents to consider promotional benefit consequent thereupon.

- 3.** At the outset, learned counsel for the petitioners submits that the prayer made in all these writ applications is

squarely covered by the order passed by the Co-ordinate Bench of this Court in *W.P. (S) No. 2410 of 2013* wherein the Co-ordinate Bench of this Court while dealing with similar case has held in paragraph No.8 as under:

“8. Now adverting to the contention raised by the learned counsel for the respondents, I find that in paragraph nos. 13 & 14 of the counter-affidavit, the respondents have taken a specific plea that the claim of the petitioners could not be entertained though the persons from Sl. No. 159 onwards were considered for promotion as the petitioners are matric pass only. I am of the view that such a plea taken by the respondents is contrary to the express provision as contained in Clause 7.7 (Kha) of the Resolution dated 24.02.2012. The said provision clearly provides that 25 % posts would be reserved for promotion on the basis of seniority-cum-merit. It nowhere says that a person must possess a qualification of graduation. The qualification of graduation is made essential only for direct recruitment and in any case where promotion is sought on the basis of limited departmental examination. Further, the counter-affidavit filed by the respondent nos. 1-3 is completely silent on the plea raised by the petitioners that the petitioners were eligible for promotion. No reason has been assigned by the respondents for not considering the case of the petitioners when they became eligible in the year, 2009. In view of the aforesaid, the writ petition is allowed. The respondents are directed to consider the case of the petitioners for promotion on the post of Circle Inspector-cum-Kanoongo.”

4. After some argument, learned counsel for the respective petitioners seeks permission to approach the 3rd respondent, who shall verify the individual cases and dispose of the same in accordance with law.

5. Mr. Jai Prakash, Ld. AAG-IA submits that the respective petitioners are not entitled for any relief; however, if the petitioners so choose, they may approach the concerned respondents. He further submits that the benefit of Assured Career Progression has been given to all the petitioners, however, the same is in subordinate scale.

6. Having regards to the specific submissions made by the Counsel for the respective petitioners, all these writ applications, are hereby, disposed of without going into the merits of the respective case, by giving liberty to the respective petitioners to file individual representation/(s) within a period of six weeks before the 3rd respondent. Upon receipt of the same, the 3rd respondent shall take a decision in the matter in accordance with law and applicable rules and regulations within a period of 12 weeks from the date of receipt of such representation/(s) and communicate the same to the respective petitioners.

It goes without saying that if the decision is in favour of the respective petitioners; all consequential benefits shall be extended to them within a further period of eight weeks.

7. With the aforesaid observations and directions, all these writ applications stand disposed of. Pending IAs, if any, also stands closed.

(Deepak Roshan, J.)

*Jk/
17th March, 2026
Uploaded on
10/04/2026*