

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (PIL) No. 2894 of 2021

Advocates' Association Petitioner
Versus

The State of Jharkhand Respondent

WITH

Cont. Case (Civil) No. 283 of 2020

Raj Kumar Petitioner
Versus

Sukhdeo Singh, Chief Secretary, State of Jharkhand
And another Opp. Parties

WITH

W.P. (PIL) No. 2797 of 2021

Jagat Narayan Upadhyay Petitioner
Versus

The State of Jharkhand and another Respondents

WITH

W.P. (PIL) No. 3018 of 2021

Tenik Kumar Mahato Petitioner
Versus

The State of Jharkhand and others Respondents

WITH

W.P. (PIL) No. 5126 of 2021

Dhananjay Kumar Jha Petitioner
Versus

The State of Jharkhand and others Respondents

WITH

W.P. (PIL) No. 460 of 2022

Shashi Sagar Verma Petitioner
Versus

Secretary, State of Jharkhand and another Respondents

**CORAM: SRI SANJAYA KUMAR MISHRA, C.J.
SRI ANANDA SEN, J.**

For the Petitioners: M/s. Rajiva Sharma (Sr. Advocate), Navin Kumar, Abhay Kumar Mishra, Krishna Prajapati, Ranjan Kumar, Anoop Kumar Agarwal, Arpit Sharma, Advocates
Dhananjay Kumar Jha (Party in Person)

For the Respondents: Mr. Rajiv Ranjan, Advocate General
Mr. Sreenu Garapati, S.C.-III
Mrs. Vandana Singh, Sr. S.C.-III
Mr. Piyush Chitresh, A.C. to A.G.

For Regulatory Comm. Mr. Sudarshan Shrivastava, Advocate

For the Trust Board: Mr. Manish Kumar, Advocate

08/Dated: 19.04.2023

In this batch of the cases, a common question is arising that the Chairman of different statutory bodies like State Information Commission, Lokayukta, State Human Right Commission, etc. are not being appointed by the State Government for the last three years.

The learned Advocate General would submit that because of the issue of qualification of the proposed Leader of Opposition, the matter is pending before the Speaker of the Jharkhand Legislative Assembly.

Learned counsel for the petitioner appearing in Cont. Case (Civil) No. 283 of 2020 submits that as per sub-section (3) of Section 15 of the Right to Information Act, 2005, provision has been made that in case the Leader of Opposition is not recognized, the Leader of single largest group in opposition of the Government in the Legislative Assembly shall be deemed to be the Leader of Opposition.

The learned counsels for the petitioners in all these cases are, therefore, directed to examine this aspect of the matter.

In the meantime, in order to expedite the process of appointment of the Chairman of the all the statutory bodies in the State of Jharkhand, this Court in exercise of powers under Order I, Rule 10 of the Code of Civil Procedure, 1908 directs that the Secretary, Jharkhand Assembly Secretariate shall be a party-respondent in all these proceedings.

Let an advance copy of the all the petitions be served upon Sri Anil Kumar, learned counsel, who is not present in Court today because of a Bandh call given in the State of Jharkhand, within a week.

Let the name of Mr. Anil Kumar, learned counsel, be reflected in the cause-list of all these cases henceforth. Let him take instructions.

List these cases on 03.05.2023 under the same heading.

(Sanjaya Kumar Mishra, C.J.)

(Ananda Sen, J.)