

SLP(C)No. 1235 OF 2002

ITEM No.29

Court No. 3

SECTION XVII  
A/N MATTER

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.1235/2002

(From the judgement and order dated 25/09/2001 in LPA 612/01  
of The High Court of Jharkhand at Ranchi)

STATE OF JHARKHAND & ORS.

Petitioner (s)

VERSUS

BIHAR RAJYA NADI GHATI ABAM S.K. SANGH

Respondent (s)

(With prayer for interim relief)  
( With Appln(s). for exemption from filing O.T. )  
With

SLP(C)No.2759/2002

Date : 12/04/2002 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAIAK  
HON'BLE MR. JUSTICE BRIJESH KUMAR

For Petitioner (s) Mr. P.N. Mishra, Sr. Adv.  
M/s Ashok Mathur, Rajesh Pathak, Advs.

Mr. P.N. Mishra, Sr. Adv.  
Mr. A. Kumar, Adv.  
Mr. Anil Kumar Jha, Adv.

For Respondent (s) Mr. Gobind Das, Sr. Adv.  
M/s.Pawan Upadhyay, Sujit K. Singh,  
RR Dubey, Subodh Kumar, Santosh Mishra, Advs  
Mr. S.B. Upadhyay, Adv.

UPON hearing counsel the Court made the following  
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Heard Mr. P.N. Mishra for the State of Jharkhand and  
Mr. Das for the respondents.

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to consider the case of the respondents for regularisation taking into account the fact that they have served from 1984 till 1999, we are not inclined to interfere with the said direction; particularly when the State has been created anew and there would be ample employment avenues whereagainst these work-charged employees could be suitably absorbed depending upon their qualification and experience. Mr. Mishra, appearing for the State, however, contended that they were engaged against some World-Bank project and the State is willing to consider their case only when some project comes. We do not find any justification for issuing that direction inasmuch as the State, even assuming through some project, has obtained the services of these people for more than 15 years and, therefore, their claim for being absorbed against any vacant post in the State must have a priority.

In the circumstances, we decline to interfere with the impugned direction of the High Court. The special leave petitions stand dismissed accordingly.

We make it clear that there is no direction by the High Court nor are we directing the State to create new posts for absorption of these respondents.

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(J.S. Rawat)  
Court Master

(Suneet Bala Sharma)  
Court Master