

IN THE HIGH COURT OF JHARKHAND AT RANCHI

**W.P(S) No. 1517 of 2011
with
W.P(S) No. 1498 of 2011**

Dr. Braj Kishore Sinha & Anr.Petitioners(in W.P(S) No.1517/2011)
Dr. Prabhat Kumar Singh & Ors.....Petitioners(in W.P(S) No.1498/2011)
Versus
The State of Jharkhand & Ors. Respondents (in both cases)
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CORAM : HON'BLE MR. JUSTICE NARENDRA NATH TIWARI

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For the Petitioners : Mr. Ananda Sen, Advocate
For the State : J.C. to A.G.
For the JPSC : Mr. Sanjoy Piprawall, Advocate
For the Ranchi University: Mr. Anoop Kr. Mehta, Advocate
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21/30.04.2014: When these cases are taken up under the heading 'For Orders, learned counsel for the parties submitted that in view of the affidavit filed by the State-respondents withdrawing the last two lines of the letter dated 26.11.2013 (Annexure-C to the counter affidavit filed by the respondent nos. 1 to 4), the writ petitions are required to be disposed of. With the consent of the parties, both the writ petitions have been heard together and are being disposed of by this common order.

In these writ petitions, the petitioners have prayed for direction on the respondents to take appropriate steps to confirm their services w.e.f. 23.10.1986 / 29.11.1986 and release all the promotional benefits to the petitioners to which they are entitled after confirmation of their services.

When the matter was earlier taken up, the Jharkhand Public Service Commission (JPSC) as well as the Ranchi University had taken stand that the petitioners' services are fit to be confirmed but the same could not be confirmed because of the two lines added in the letter of the State Government dated 26.11.2013.

In course of hearing, learned counsel appearing on behalf of the parties unanimously submitted that those two lines are unnecessarily added in the said letter. Because of presence of those two lines, confusion was created and the JPSC could not issue the order of concurrence giving promotion to the petitioners from the post of Lecturer to the post of Reader.

Learned counsel appearing on behalf of the State Government, under that circumstance, had taken some time to withdraw the said lines from the letter. Pursuant to the same, the Director, Higher Education, Department of Human Resources Development, Government of Jharkhand has issued a corrigendum dated 21.04.2014 whereby those two lines have been withdrawn. The said corrigendum has been annexed with the affidavit dated 23.04.2014 filed by them as Annexure-A.

Learned counsel for the parties submitted that in view of the withdrawal of the said two lines from the letter dated 26.11.2013, now Ranchi University shall forward recommendation, returned to the University by the JPSC, in the light of the earlier order. The JPSC, thereafter, shall issue the order of concurrence for the petitioners' promotion from the post of Lecturer to the post of Reader.

Considering the said submissions, these writ petitions are disposed of directing Ranchi University to forward the recommendation of the screening committee of the University to the JPSC for concurrence of the recommendation for petitioners' promotion from the post of Lecturer to the post of Reader within ten days. The JPSC, thereafter, shall consider the recommendation

and issue appropriate order within four weeks' from the date of receipt of the recommendation. The University, thereafter, shall calculate and work out all the admissible dues/benefits and send the same to the State Government for releasing the amount.

The State Government on receipt thereof shall release the required amount to the University within four weeks thereafter for disbursement of the same to the petitioners.

(Narendra Nath Tiwari, J)

Shamim/