

(2017) 02 JH CK 0103
In the Jharkhand High Court
Case No : 3210 of 2016

Abdus Sabbar

APPELLANT

Vs

The State of Jharkhand

RESPONDENT

Date of Decision : 06-02-2017

Acts Referred:

Citation : (2017) 02 JH CK 0103

Hon'ble Judges : Aparesh Kumar Singh

Bench : SINGLE BENCH

Advocate : Rohit Roy, ?Mrinal Kanti Roy?Abhay Prakash, Jai Prakash

Final Decision : Disposed

Judgement

1. Heard learned counsel for the petitioner, State and the Jharkhand State Agricultural Marketing Board.
2. There is an inquiry underway on complaints made by some persons in the matter of allotment of shops to the petitioners and several others in Manglahat, Chaibasa under self finance scheme. Petitioners contend on the basis of the resolution dated 26.4.2012 (Annexure-1) of the Market Committee Chaibasa that as per the work order and the agreement entered into with them, Annexure-4 and Annexure-5 dated 1.8.2014 issued by the Marketing Secretary, Agriculture Production Market Committee, Chaibasa, West Singhbhum, petitioners have to spend from their own pocket a substantial amount for construction of the shops allotted to them under self finance scheme, which was in the

process when it has been suddenly stopped. Petitioners have therefore assailed the communication dated 7.5.2015, Annexure-8, issued by the Respondent No.3, Additional Collector, West Singhbhum, which reveals that construction of the shops have been stopped for inquiring into the allegation and that certain pre-existing sheds were also being demolished.

3. Counter affidavits of the Respondent no. 5 and 6 also corroborates the reasons for stoppage of constructions. As per the statement made at Para 27 of the counter affidavit, inquiry instituted by the Deputy Commissioner as also by the Director (Vigilance), Marketing Board, is still underway and till the said inquiry is not completed, construction of the shops cannot be allowed.

4. Learned counsel for the petitioner submits that decision one way or the other should be taken as early as possible so that petitioners have a clear understanding of their status as allottees.

5. Learned counsel for the Respondent State has not filed any counter affidavit.

6. Be that as it may, on the basis of the pleadings on record, at this stage since the inquiry also appears to be underway, it can only be observed that the same be concluded within a reasonable time by the Respondent Authorities preferably 8 weeks from the date of receipt of copy of this order. Needless to say that dependent upon the outcome of the inquiry, it is open for the Authorities to take action in accordance with law.

7. The writ petition is disposed of accordingly.