

(2011) 06 JH CK 0094

In the Jharkhand High Court

Case No : Writ Petition (S) No. 1436 of 2011

Ajit Kant Sahay

APPELLANT

Vs

The State of Jharkhand and Others

RESPONDENT

Date of Decision : 22-06-2011

Acts Referred:

Citation : (2011) 06 JH CK 0094

Hon'ble Judges : Narendra Nath Tiwari, J

Bench : Single Bench

Final Decision : Allowed

Judgement

Narendra Nath Tiwari, J.

I.A. No. 1827 of 2011:

1. In this interlocutory application, the Petitioner has prayed for addition of one more prayer and addition of some facts in the writ petition and to that regard for amendment in the writ petition.

2. In the writ petition, the Petitioner has prayed for a direction on the Respondents to pay his retiral dues and for other reliefs.

3. During the pendency of the writ petition, the Petitioner came to know that an order was passed on 27th December, 2010, whereby the Petitioner's first time bound given with effect from 5th November, 1987 has been cancelled on accepting his voluntary retirement and the direction for recovery of the benefit of first time bound promotion has also been issued.

4. According to the Petitioner, the said order is wholly illegal and arbitrary and the same is required to be set aside by this Court. It has been submitted that the amendment prayed for is based on the same factual statements, which have been made in the writ petition and the same does not go to change the nature and character of the writ petition. The said amendment has been prayed for in order to avoid multiplicity of litigation between the same parties.

5. Learned J.C. to A.G. has No. objection to the said prayer of the Petitioner.

6. Considering the above, this interlocutory application is allowed. Amendment prayed for stands allowed. I.A. No. 1827 of 2011 is disposed of.

W.P. (S) No.1436 of 2011:

7. learned J.C. to A.G. prays for and is allowed two weeks" time to seek instructions and file counter affidavit. Put up this case on 6th July, 2011.