

(2013) 01 JH CK 0186

In the Jharkhand High Court

Case No : Writ Petition (S) No. 3067 of 2012

Akhileshwar Prasad and Another

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 02-01-2013

Acts Referred:

Citation : (2013) 01 JH CK 0186

Hon'ble Judges : Narendra Nath Tiwari, J

Bench : Single Bench

Advocate : Sunil Kumar, for the Appellant;

Judgement

Narendra Nath Tiwari

1. In this writ petition, the petitioners have prayed for a direction on the respondents to consider their claims for giving the revised scale of pay on the post of Forester and also the benefits of the first and the second Assured Career Progression (A.C.P.). According to the petitioners, they had rendered long service of more than 24 years as Forester before their promotion to the post of Forest Range Officer. They were entitled to get revised pay scale on that post, but in spite of revision of pay scale, their pay was fixed on the old scale. The petitioners were also entitled to get the benefits of the A.C.Ps, but in spite of their long service of more than 24 years as Forester, the said benefits were not given to them. The petitioners were given promotion to the post of the Forest Range Officer w.e.f 17.3.2005, but due to withholding of earlier benefits, the petitioners' salary has not been fixed at the proper pay scale. The petitioners made representations before the department, but the same fell on the deaf ears of the respondents and no order has been passed till date. Learned J.C. to A.G. appearing on behalf of the respondents submitted that the petitioners' claims are not specific. They have not given the date from which they were entitled to get the various benefits claimed by them. If the petitioners file fresh representation making their specific claims before the competent authority, the same shall be considered and appropriate order shall be passed. It has been

submitted that the Principal Conservator of Forest, Jharkhand is the competent authority to consider the petitioners' claims and pass appropriate order.

2. Considering the aforesaid submissions, this writ petition is disposed of giving liberty to the petitioners to file fresh representation making their specific claims before the Principal Chief Conservator of Forest, Jharkhand. On receipt of such representation, the said respondent shall consider the same and pass appropriate order in accordance with law within two months from the date of receipt of the representation. If the petitioners' one or the other claim(s) is / are found genuine, admitted amount towards the arrears of difference of pay shall be paid to the petitioners within two months thereafter.