
(2016) 01 JH CK 0015
In the Jharkhand High Court
Case No : W.P. (S) No. 266 of 2015

Akhileshwar Prasad

APPELLANT

Vs

State of Jharkhand and others

RESPONDENT

Date of Decision : 04-01-2016

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2016) 1 JBCJ 496

Hon'ble Judges : Aparesh Kumar Singh, J.

Bench : Single Bench

Advocate : Kailash Prasad Deo, Advocate, for the Appellant; J.C. to G.P.-I, Richa Sanchita, Advocate (Accountant General), for the Respondent

Final Decision : Disposed off

Judgement

Aparesh Kumar Singh, J. - Heard learned counsel for the parties.

2. Petitioner has superannuated from the post of Range Forest Officer under the office of respondent no. 7, Conservator of Forest (Plantation, Research and Evaluation Circle), Department of Forest and Environment, Govt. of Jharkhand. According to him, he is entitled to the benefit of 2nd A.C.P. and 3rd M.A.C.P. as he has completed more than 24 and 30 years of service from his initial joining as Forester on 21st April, 1984. Petitioner was promoted as Range Forest Officer with effect from 17th March, 2005. After having made representation in relation to the aforesaid grievances before respondent no. 4, Principal Chief Conservator of Forest, Department of Forest and Environment, he has approached this Court.

3. Learned counsel for the Respondent-State submits that petitioner's grievances can be considered after due scrutiny of all his relevant records as per A.C.P./ M.A.C.P. Scheme and if required by placing the matter before Departmental Scrutiny Committee constituted for the said purpose. However, no counter affidavit has been filed in the matter till date.

4. In view of the aforesaid facts pleaded and the submissions made, it is deemed

appropriate that the grievances of the petitioner be considered by the competent authority/respondent no. 4, Principal Chief Conservator of Forest, Department of Forest and Environment, Govt. of Jharkhand, Ranchi on a representation being made duly supported with all relevant documents by the petitioner. Let such consideration be made in accordance with law and after due scrutiny of all relevant records of the petitioner within 12 weeks, if necessary by placing the matter before Departmental Scrutiny Committee constituted for the said purpose for arriving at an informed decision in the matter. Needless to say, dependent upon such decision, the consequential benefits which may arise be passed on to the petitioner in the matter of arrears of difference of salary and any pensionary benefits within a reasonable time thereafter.

5. It however goes without saying that pending the aforesaid exercise, the respondent would release the admissible provisional pension and other pensionary dues to the petitioner.

6. Accordingly, the writ petition stands disposed of.