

(2013) 01 JH CK 0013
In the Jharkhand High Court
Case No : W.P.S. No. 5026 of 2012

Baliram Pramanik

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 09-01-2013

Acts Referred:

Citation : (2013) 2 AJR 13

Hon'ble Judges : Narendra Nath Tiwari, J

Bench : Single Bench

Advocate : Sanjit Kumar, for the Appellant;

Judgement

Narendra Nath Tiwari, J.—The petitioner, who is 4th grade employee posted on deputation at Branch Secretariat, Ranchi, has prayed for a direction on the respondents to either pay city allowance and other allowances payable to similarly situated employee at Ranchi or to revert back to his original posting to State Ayurvedic Dispensary, Thakurgaon. It has been stated that the petitioner was posted as Peon in State Ayurvedic Dispensary, Thakurgaon, which is a rural area. From the said dispensary, the petitioner was deputed in the Branch Secretariat, Ranchi in 1993 and he has been working at the said place of deputation. According to the petitioner, the other employees, who are similarly situated, are getting city allowance and other allowances. The petitioner was also getting city allowance but by order dated 22.6.2012, house rent allowance and travelling allowances have been stopped by the District Ayush Medical Officer, Ranchi. Learned counsel for the petitioner submitted that the respondents cannot deny house rent allowance and other allowances admissible to the employees, who are posted at Ranchi, if the petitioner is forced to work at Ranchi. The petitioner was posted at rural unit at Thakurgaon and he was brought to headquarter by the respondents. If the allowance is not payable, he may be released from the deputation. The petitioner made repeated requests and filed representation either to withdraw the order dated 22.6.2012 and pay house rent allowance and T.A. etc., or to send him to the original post but the same has not

been considered and no order has been passed.

2. Learned JC to G.P. III, appearing on behalf of the respondents, submitted that if the petitioner's representation is still pending or if he files a fresh representation before the Director, Ayush, Government of Jharkhand, Ranchi (Respondent No. 4), the same shall be considered and appropriate order shall be passed. Considering the said submissions, this writ petition is disposed of giving liberty to the petitioner to file a fresh representation before the Director, Ayush, Government of Jharkhand, Ranchi (Respondent No. 4). On receipt of representation, the said respondent shall consider the same and pass appropriate order in accordance with law within two months from the date of receipt/production of a copy of this order.