
(2008) 02 JH CK 0069
In the Jharkhand High Court

Bishnu Prasad Roy

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 21-02-2008

Acts Referred:

Citation : (2008) 2 JCR 678

Hon'ble Judges : Amareshwar Sahay, J

Bench : Single Bench

Judgement

Amareshwar Sahay, J.—Heard the parties.

2. The petitioner, who is working as Pump Operator in Minor irrigation Department at Rajmahal, has prayed for direction upon the respondents to give him the pay scale of Rs. 950-1400/-, which is admissible to a Tube Well Operator but he has wrongly been given a reduced scale of pay, i.e. Rs. 375-480/-.

3. In the counter-affidavit it has been stated on behalf of the respondents that there are two wings in the Minor Irrigation Department, one wing is called "Proper Wing" and another is called Tube Well Wing". The petitioner is working in Proper Wing as Pump Operator and in the Proper Wing there is no post of Tube Well Operator and the post of Tube Well Operator only exist in Tube Well Wing, which is a separate cadre and, therefore, the petitioner cannot be given the pay scale of Tube Well Operator. It is also stated by the petitioner in the writ petition that similarly situated persons, who are working as Pump Operator, are getting the pay scale of 950-1400/- i.e. the pay scale of Tube Well Operator.

4. In my view, these facts have to be firstly determined/examined by the department concerned. Accordingly, this writ application is being disposed of at this stage itself by giving liberty to the petitioner to file a representation before the Secretary, Water Resource Department, Government of Jharkhand, Ranchi (Respondent No. 2) stating in detail about his grievances and claim along with supporting documents, if any, within a period of two weeks from today. If such a representation is fled by the petitioner within the said period of two weeks, the

Secretary shall consider and determine the claim of the petitioner and dispose of the representation by an appropriate reasoned order in accordance with law within a period of eight weeks from the date of filing of such representation.

5. With these observations and directions, this writ application is disposed of.