

(2011) 01 JH CK 0041

In the Jharkhand High Court

Case No : Writ Petition (S) No. 6023 of 2010

Dr. Indreshwar Tiwary

APPELLANT

Vs

The State of Jharkhand and Others

RESPONDENT

Date of Decision : 31-01-2011

Acts Referred:

Citation : (2011) 01 JH CK 0041

Hon'ble Judges : Dhirubhai Naranbhai Patel, J

Bench : Single Bench

Judgement

D.N. Patel, J.—Learned Counsel for the Petitioner seeks leave to join the Secretary, Finance Department, Government of Jharkhand, Ranchi as a party Respondent No. 6 in this writ petition.

2. Permission, as prayed for, is granted.

3. Amendment shall be carried out by red ink, during course of the day.

4. Learned G.P.II waives notice on behalf of the newly added party Respondent No. 6.

5. Learned Counsel for the Petitioner submitted that the claim of the Petitioner is to get his arrears of salary for the period running from 24th May, 1995 to 21st December, 1996, after regularizing the period for which he could not join on the post on which he was transferred. The Petitioner retired on 31st January, 2009.

6. Learned Counsel for the Petitioner further submitted that suffice it will be for disposal of this writ petition, if a direction is given to Respondent No. 2, to treat this writ petition as a representation and decide the claims made in the memo of this writ petition, by passing a detailed speaking order, in accordance with law, within stipulated time, as given by this Court.

7. I have heard learned Counsel for the Respondents, who have submitted that they have no much objection, if such a direction is given to Respondent No. 2 to

treat this writ petition as a representation and decide the claims made in the memo of the present petition, by passing a detailed speaking order, in accordance with law, within stipulated time, as given by this Court.

8. In view of the aforesaid submissions, I hereby, direct Respondent No. 2 (The Secretary, Department of Health, Government of Jharkhand, Ranchi) to treat this writ petition as a representation and decide the claims made in the memo of this writ petition, by passing a detailed speaking order, in accordance with law, rules, regulations, policies and Government enforceable orders, applicable to the Petitioner, as expeditiously as possible and practicable, preferably within a period of sixteen weeks from the date of receipt of a copy of an order of this Court, after giving an adequate opportunity of being heard to the Petitioner or to his representative. If the decision is taken in favour of the Petitioner, the same shall be extended to him within further period of four weeks, thereafter.

9. In view of the aforesaid directions, this writ petition is disposed of.