
(2008) 02 JH CK 0050
In the Jharkhand High Court

Dr. Nand Kishore Rai

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 07-02-2008

Acts Referred:

Citation : (2008) 2 JCR 372

Hon'ble Judges : R.K. Merathia, J

Bench : Single Bench

Judgement

R.K. Merathia, J.—Heard the parties finally.

2. Petitioner claims release of retiral benefits on his superannuation on 30.6.2003, including full amount of gratuity, full amount of leave encashment, arrears of revised pay scale and salary of suspension period with statutory interest, if any.

3. It is submitted that in view of the Full Bench judgment reported in 2007 (4) JCR 1 (Jhr) (FB), Dr. Dudhnath Pandey v. State of Jharkhand, without giving an opportunity of show cause and without initiating proceeding u/s 43(b), the said amount cannot be withheld by the respondents.

4. Admittedly, petitioner was accused in Fodder Scam case. Learned Counsel for the petitioner was directed to inform this Court as to in how many cases, petitioner is involved and what is the stage of such cases but he submitted that in spite of repeated attempts, he is not in a position to contact the petitioner and furnish such information to this Court.

5. The stand of the State is that as petitioner is accused in the criminal cases of Animal Husbandry Scam, he is not entitled to the said amounts.

6. In the circumstances, noticed above, petitioner is given liberty to make a representation before the Secretary, Animal Husbandry and Fisheries Department, Government of Jharkhand, Ranchi (respondent No. 1), who will pass a speaking order thereon in accordance with law within two months from the

date of receipt of such representation.

7. It is made clear that this Court has not gone into the merits of the case. With these observations and directions, this writ petition is disposed of. No costs.