
(2011) 07 JH CK 0021

In the Jharkhand High Court

Case No : Writ Petition (S) No. 735 of 2011

Jogendra Prasad Sanga

APPELLANT

Vs

The State of Jharkhand and Another

RESPONDENT

Date of Decision : 18-07-2011

Acts Referred:

Citation : (2011) 07 JH CK 0021

Hon'ble Judges : Narendra Nath Tiwari, J

Bench : Single Bench

Judgement

Narendra Nath Tiwari, J.—The Petitioner has confined his prayer only to the extent of directing the Respondents to regularize the period

from 1st April, 2011 to 30th June, 2011.

2. It has been stated that by order dated 30th March, 2011, the Petitioner was transferred as Additional Chief Medical Officer, Gumla. The

Petitioner's name appeared in the list of chain transfer order dated 30th March, 2011. At that time, the Petitioner was posted as District Malaria

Officer, Ranchi. Since he was not given any place of joining according to the note attached to the transfer order, he reported to the headquarters

and gave his joining on 1st April, 2011. The Petitioner continued as such till 30th June, 2011. Then the order was issued by the Respondents

transferring the Petitioner and posting him as Additional Chief Medical Officer, Gumla. But till date, the period between 1st April, 2011 to 30th

June, 2011 has not been regularized by the Respondents. It has been stated that there was no fault on the part of the Petitioner and during the said

period he was kept in the headquarters by the order of the concerned authority. The Respondents should have regularised the said period and

should have issued appropriate order along with the order of his posting, but the same has not been done. The Petitioner then filed representation, requesting the Respondents to regularise the aforesaid period, but no order has been passed till date.

3. Learned J.C. to Sr. S.C.I, appearing on behalf of the Respondents, submitted that the Secretary, Health, Medical Education & Family Welfare, Government of Jharkhand, is the competent authority to consider the Petitioner's claim and pass appropriate order and if any representation is still

pending or if he files a fresh representation, the same shall be considered and appropriate order shall be passed.

4. Considering the said submissions, this writ petition is disposed of, giving liberty to the Petitioner to file a fresh representation, along with a copy

of this order, before the Secretary, Health, Medical Education & Family Welfare, Government of Jharkhand Respondent No. 2. On receipt of the

representation, the said Respondent shall consider the same and pass appropriate order, in accordance with law, within a period of six weeks from the date of receipt of the representation.