
(2005) 06 JH CK 0063

In the Jharkhand High Court

Case No : Writ Petition (S) No. 2956 of 2005

Kaleshwar Ram

APPELLANT

Vs

Union of India (UOI) and Others

RESPONDENT

Date of Decision : 22-06-2005

Acts Referred:

Bihar Reorganisation Act, 2000 — Section 72(2)

Citation : (2005) 3 JCR 424

Hon'ble Judges : S.J. Mukhopadhaya, J

Bench : Single Bench

Advocate : A. Allam and Sharawan Kumar, Binod Kumar Jha and Jitendra Kumar, P. Modi, GP I and Surendra Kumar, JC to GP I, for the Appellant; J.P. Gupta and Ashutosh Anand, for the Respondent

Final Decision : Dismissed

Judgement

S.J. Mukhopadhaya, J.—This writ petition has been preferred by the petitioner against the order contained in Memo No. 651, dated 16th May, 2005, so far as it relates to petitioner, whereby and whereunder, he has been allocated the Bihar Cadre under the Cooperative Department. The aforesaid order has been issued u/s 72(2) of the Bihar Reorganisation Act, 2000.

2. According to the petitioner, he belongs to Scheduled Caste, but in the tentative list he having been wrongly shown as Scheduled Tribe, his name has been recommended and he has been allocated the Bihar Cadre.

3. Though such submission has been made, but from the record, as contained in letter No. 1258 dated 17th May, 2004, it appears that the Government of Bihar while forwarded the details to the Deputy Secretary, Cooperative Department, Jharkhand, Ranchi indicated therein that the petitioner claims to be a Scheduled Caste with regard to which the Government of Jharkhand had no objection. Taking into consideration the aforesaid fact that the petitioner is a Scheduled Caste, it appears that the impugned notification of allocation of Cadre has been

made by the Central Government. This apart, from the impugned order, contained in letter dated 16th May, 2005 and the enclosures attached thereto and there is nothing on the record to suggest that the petitioner has been allocated Bihar Cadre on wrong presumption that he is a Scheduled Tribe.

4. Such being the position, I find no ground made out to interfere with the order in question.

5. There being no merit, the writ petition is dismissed.