
(2008) 02 JH CK 0033
In the Jharkhand High Court

Manoj Kumar Singh and Others

APPELLANT

Vs

The State of Jharkhand and Others

RESPONDENT

Date of Decision : 25-02-2008

Acts Referred:

Citation : (2008) 56 BLJR 2150 : (2008) 2 JCR 669

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

Bench : Single Bench

Judgement

Ramesh Kumar Merathia, J.—The petitioners' grievance is that the order of the petitioners has not been finally bifurcated.

2. Mr. Pathak, appearing for the petitioners, submitted that the petitioners were asked to give option for their cadre division. A tentative list was prepared by which the petitioners were posted in the State of Jharkhand till final allocation but final allocation has not been done as yet and without such allocation, the respondents authorities are taking steps transferring the petitioners from the department of Wireless to other wings of the Home department.

3. The stand of the respondents in the counter affidavit is that the final allocation of the Constable/Havildar is pending. Regarding transfer of the petitioners pending final allocation, it is said that there is no bar for transferring the petitioners, as they belong to general cadre of Constable/Havildar and, as such, they can be transformed from Wireless to other wings of the department.

4. This position has not been disputed by the petitioners by filing any rejoinder and, therefore, the said stand in the counter affidavit is accepted.

5. However, as admittedly the final allocation of the Constables/Havildars is pending, the petitioners will be at liberty to make representation before the Chairman, Advisory Committee, Patna (respondent No. 3) through Director General of Police, Jharkhand (respondent No. 6), who will look into the matter and do the needful in accordance with law, as early as possible and preferably within three months from the date of receipt of such representation.

With these observations and direction, this writ petition is disposed of.