
(2008) 11 JH CK 0013
In the Jharkhand High Court

Mrs. Honey Sinha

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 18-11-2008

Acts Referred:

Citation : (2008) 11 JH CK 0013

Hon'ble Judges : Ajit Kumar Sinha, J

Bench : Single Bench

Judgement

Ajit Kumar Sinha, J.—In this writ petition the petitioner prays for issuance of an appropriate writ, order or direction in a nature of certiorari for quashing the impugned order dated 18.12.2006 whereby and whereunder the petitioner has been directed to be relieved from the post of Senior Lecturer posted on deputation without any valid reason and without cancellation of the deputation. The petitioner further prays for a writ in the nature of mandamus commanding upon the respondents not to give effect of the aforesaid impugned, order dated 18.12.2006 and to allow the petitioner to continue for a period of two years from the date of her joining and the petitioner further prays for issuance of a writ in a nature of mandamus commanding upon the respondent to pay and release the salary in the scale of Rs. 8000-13.500/- with increment. 15% of the House Rent Allowance, City Compensatory Allowance of Rs. 120/- per month, Medical allowance as well as deputation allowance of 10% and Travelling allowance which is applicable to the petitioner as the petitioner has been deputed on the instance of the State-respondents while working as District Young Co-ordinator under the respondent No. 4.

2. However, the counsel for the petitioner has confined his argument to the second prayer that at least the petitioner is entitled to the salary for the period she worked between 7.12.2005 to 18.12.2006 on deputation with the Institute of Rural Development. According to the petitioner the salary along with other service benefits for the period of deputation has not been paid till date.

3. Considering the aforesaid facts and circumstances of the case the respondent

No. 2 is directed to take a decision with regard to entitlement for payment of salary and other benefits during the aforesaid period of deputation between 7.12.2005 to 18.12.2006 as claimed by the petitioner. In the counter affidavit an objection has been raised that the Director is not the competent authority and thus the sanction was not legal and valid.

4. Without going into the merits of the matter, the respondent will certainly consider the rules applicable in this regard and dispose of the representation of the petitioner by a speaking order within a period of two months from the date of receipt of this order.

5. This writ petition is accordingly disposed of. It goes without saying that if the petitioner is still aggrieved by the order to be passed, she certainly has a remedy to challenge the same.