
(2011) 04 JH CK 0046

In the Jharkhand High Court

Case No : Writ Petition (S) No. 4916 of 2003

Raj Kumar Singh

APPELLANT

Vs

Union of India (UOI)

RESPONDENT

Date of Decision : 20-04-2011

Acts Referred:

Citation : (2011) 04 JH CK 0046

Hon'ble Judges : J.C.S. Rawat, J

Bench : Single Bench

Judgement

J.C.S. Rawat, J.—This writ petition has been filed by the Petitioner for seeking relief to pay the salary to the Petitioner for the month of June and July, 2003 and to arrange medical facilities as per advice of Chief Medical Officer, Training Centre and School, Border Security Force Hospital, Hazaribagh. The Petitioner further sought a direction to the Respondents to provide document referred to in application dated 18.09.2003 within specific period.

2. The Respondent has filed his counter affidavit and in paragraph No. 17 and 19 it has stated as under:

17. That in reply to the statements made in paragraph-12 of the writ application, it is stated and submitted that as advised by the D.I.G. & Commandant, the Petitioner joined this institution on 18/8/2003. As far as his salary and other emoluments are concerned, the same was finalized after completing the legal formalities.

19. That in reply to the statements made in para-14 of the writ application it is stated and submitted that for obtaining copies of any relevant documents the Petitioner can certainly make a petition to the competent authority of the force and he does not necessarily apply through the Court of Law. The request of the Petitioner will be acceded to after obtaining proper orders from the competent authority to documents which he is entitled as per the existing rules.

3. In view of the above, the Respondent No. 2 is directed to pass a speaking order, in the light of the averment made in paragraph No. 17 and 19 of the counter affidavit, within a period of four weeks of the receipt of a copy of this order and the Petitioner shall communicate a copy of this order to the Respondent No. 2 within a period of one week.
4. The Respondent No. 2 will file a counter affidavit along with order so passed.
5. Post this matter immediately after four weeks.