

(2003) 10 JH CK 0001
In the Jharkhand High Court
Case No : Writ Petition (S) No. 5106 of 2003

Sanjay Kumar Thakur	Vs	APPELLANT
State of Jharkhand and Others		RESPONDENT

Date of Decision : 17-10-2003

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2004) 2 JCR 484b

Hon'ble Judges : S.J. Mukhopadhaya, J; Amareshwar Sahay, J

Bench : Division Bench

Advocate : Dhananjay Kr. Dubey, for the Appellant; SC-III, for the Respondent

Judgement

Amareshwar Sahay, J.—This writ petition has been preferred by petitioner to direct the respondents to pay salary for the month of

September, 2003 from Potka Block or to pass appropriate order so that the petitioner may draw salary.

2. According to petitioner, she was transferred by order dated 3rd September, 2003 from Potka Block to Gama Block in the district of Giridih.

He preferred a writ petition WP (S) No. 4521 of 2003 against the order of transfer on the ground that the Controlling Officer of the transferred

post is junior to him. A Bench of this Court vide order dated 10th September, 2003, while did not choose to interfere with the order of transfer,

allowed the petitioner to file representation before the competent authority. Thereafter, he has preferred a representation before the Secretary,

Social Welfare, Women and Child Development Department, Government of Jharkhand but no final order has been passed on his representation.

He has not yet been relieved from Potka Block.

3. It is stated that the Secretary, Social Welfare, Women and Child Development Department, Government of Jharkhand vide letter No. 1159,

dated 9th October, 2003 allowed the petitioner to draw salary for the period from October, 2003 from the transferred post i.e. Gama Block but

no order has been passed with respect to salary for the period from September, 2003. It has not been made clear whether the petitioner will draw

salary from Potka Block or from Gama Block.

4. In the fact and circumstances, the case is remitted to the Secretary, Social Welfare, Women and Child Development Department, Government

of Jharkhand, Ranchi to determine as to from which place the petitioner will draw salary for the month of September, 2003 and communicate the

decision to the petitioner within a period of two weeks from the date of receipt/production of a copy of this order.

5. The writ petition stands disposed of, with the aforesaid observations.