

(2022) 07 JH CK 0001

In the Jharkhand High Court

Case No : Writ Petition (S) No. 2590 Of 2011

Sanjeev Kumar Malto

APPELLANT

Vs

State Of Jharkhand And Others

RESPONDENT

Date of Decision : 05-07-2022

Acts Referred:

Citation : (2022) 07 JH CK 0001

Hon'ble Judges : Anubha Rawat Choudhary, J

Bench : Single Bench

Advocate : Ranjan Kumar Singh, Mukesh Kumar Sinha

Judgement

Anubha Rawat Choudhary, J

1. Learned counsel for the petitioner is present.
2. On 21.06.2022, the following order was passed in this case: -
"Learned counsel for the petitioner is present.
2. Nobody appears on behalf of the respondents.
3. Learned counsel for the petitioner submits that in spite of order dated 09.05.2022, no supplementary counter affidavit has been filed by the respondents. He submits that on 14.06.2022 also, nobody had appeared on behalf of the respondents and the order passed by this court dated 09.05.2022 remained un-complied.
4. Considering the aforesaid submission of learned counsel for the petitioner, time till 04.07.2022 is granted to the respondents to comply the order dated 09.05.2022 by filing supplementary counter affidavit, failing which the Secretary, Welfare department, Government of Jharkhand, respondent No. 2 is directed to remain personally present before this court on 05.07.2022 to explain the reasons for noncompliance of the order dated 09.05.2022.
5. Since, nobody is appearing on behalf of the respondents, let a copy of this

order be forwarded to the respondent No. 2 as well as to office of the learned Advocate General to ensure compliance.

6. Post this case on 05.07.2022.”

3. As per office note, the aforesaid order has been served upon the office of learned Advocate General as well as upon Respondent no. 2 and no affidavit has been filed pursuant to the said order. When the case was called out, neither anyone appeared for the respondents to argue the case nor the respondent no.2 was present in the court. Since, Mr. Mukesh Kumar Sinha, Sr. S.C. I was present in the court, the court records were shown to the learned counsel.

4. Mr. Mukesh Kumar Sinha, learned Sr. S.C. I submits that although he has not been assigned the case records from the side of the respondents, but upon perusal of the order dated 21.06.2022, he had a word with the learned Advocate General, who is otherwise busy and not in a position to appear before this court today. However, a prayer has been made on behalf of the learned Advocate General, to post this case day after tomorrow and on that day, he will ensure appearance of Secretary, Welfare Department, Government of Jharkhand at 10.30 a.m. in the morning.

5. Post this case on 07.07.2022 to be taken up at 10.30 A.M.

6. The Secretary, Welfare Department, Government of Jharkhand is directed to remain physically present before this Court on 07.07.2022 at 10.30 A.M. and explain his position regarding non compliance of order dated 21.06.2022.