
(2010) 08 JH CK 0082
In the Jharkhand High Court

Smt. Anjani Sinha

APPELLANT

Vs

The State of Jharkhand and Others

RESPONDENT

Date of Decision : 06-08-2010

Acts Referred:

Citation : (2010) 08 JH CK 0082

Hon'ble Judges : Dhirubhai Naranbhai Patel, J

Bench : Single Bench

Judgement

D.N. Patel, J.—Learned Counsel for the petitioner vehemently submitted that the petitioner is not even paid subsistence allowance, which she is legally entitled under the Rules enacted by the respondents, which is a bare minimum requirement for her livelihood.

2. Learned Counsel for the petitioner further submitted that the petitioner was working as a Clerk with respondent No. 6 and thereafter, the petitioner was suspended with effect from 9th December, 2005. Thereafter, an unended inquiry is going on lethargically by the respondents and therefore, there is no option left with the petitioner, but, to file this writ petition so that the unended inquiry will be brought to an end.

3. Learned Counsel for the respondents have taken instructions from respondent No. 6 and has submitted that within a period of four weeks, the pending inquiry against the petitioner will be brought to an end by passing a necessary order.

4. In view of this submission, I hereby, direct respondent No. 2 to see that the pending inquiry against the petitioner will be brought to an end efficiently within a period of four weeks from the date of receipt of a copy of the order, passed by this Court. I hereby also, direct respondent No. 2 to initiate action against the erring officers including respondent No. 6 if at all he is at fault, for not completing the pending inquiry for a long lapse of time since 9th December, 2005 onwards. Such a lethargic approach on the part of respondent No. 6 or such other similarly situated officers ought to be properly punished by respondent No.

2. Necessary notices may be issued upon the lethargic officers of the State by respondent No. 2. Moreover, no subsistence allowance has been paid, as submitted by the learned Counsel for the petitioner, and therefore, I direct respondent No. 2, who is Principal Secretary, Health, Family Welfare and Medical Education Department, Government of Jharkhand, Ranchi, to see that the accumulated amount of subsistence allowance shall be paid within a period of ten days from the date of receipt of a copy of the order, passed by this Court and thereafter, subsistence allowances shall be paid regularly, at regular intervals, in accordance with law, rules.

5. This is an another lethargic approach on the side of respondent No. 6 or such other officers of the respondents-State for not making payment of the subsistence allowances to the petitioner. For this lethargic approach, I hereby also, direct respondent No. 2 to take action against the erring officers of the respondents-State. It is expected from the high ranking administrative officer i.e. respondent No. 2 that scrupulously this time table, which has been given by this Court, shall be adhered to and the inquiry will be completed.

6. In view of the aforesaid directions, this writ petition is disposed of, reserving liberty with the petitioner to move before this Court, in case of any difficulty.