

(2017) 12 JH CK 0005
In the Jharkhand High Court
Case No : 4634 of 2016

Sukra Oraon @ Sukar Oraon

APPELLANT

Vs

The State of Jharkhand

RESPONDENT

Date of Decision : 01-12-2017

Acts Referred:

Citation : (2017) 12 JH CK 0005

Hon'ble Judges : H.C.Mishra

Bench : SINGLE BENCH

Advocate : Sunil Kumar Sinha, Rajesh Shankar

Final Decision : Disposed

Judgement

1. Heard learned counsel for the petitioner and the learned counsel for the respondent State.
2. The present writ application has been filed by the petitioner, who was working as Research Assistant in the office of the Deputy Director (Science) Quality Control Division, Water Resources Division, Ranchi, and he superannuated from the post on 31.03.2010.
3. The writ petitioner was not granted his A.C.P. and M.A.C.P. benefits during his service period, for which this writ application has been filed. A separate prayer was also made for refund of the deducted amount of Rs.4,990/-.
4. A counter-affidavit has been filed by the State stating therein that proposal for grant of A.C.P. and M.A.C.P. of the petitioner could not be placed in the meeting of the Screening Committee which was held on 23.03.2016 due

to want of papers.

5. A further positive statement has been made in the counter affidavit that the matter of the petitioner shall be placed in the forth coming meeting of the Screening Committee. This affidavit was filed on 22.2.2017 itself, but this Court is informed that till now, no meeting of the Screening Committee has been held.

6. In view of such positive statement in the Counter-affidavit, the matter cannot be deferred ad infinitum. Accordingly, this writ application is disposed of with the direction to the respondent authorities to finally decide the matter of granting A.C.P. and M.A.C.P. to the petitioner, positively within the period of three months from the date of receiving of the order by the respondent authorities. After taking the final decision about the A.C.P and M.A.C.P, the consequent payments, if admissible, shall also be made to the petitioner within a further period of two months from the date of taking the final decision.

7. As regards the other prayer for refund of the amount of Rs.4990/-, which has no connection with the main prayer for grant of A.C.P & M.A.C.P, the petitioner shall be at liberty to move the appropriate authority for the refund of the same and if the petitioner files the representation for the same, the same shall be disposed of with a speaking order within a period of three months of its filing.

8. This writ application is accordingly, disposed of with the directions as above.