
(2006) 11 JH CK 0074
In the Jharkhand High Court

Vijay Kumar Das

APPELLANT

Vs

Union of India (UOI) and Others

RESPONDENT

Date of Decision : 03-11-2006

Acts Referred:

Citation : (2007) 3 JCR 133

Hon'ble Judges : Narendra Nath Tiwari, J

Bench : Single Bench

Judgement

N.N. Tiwari, J.—In this writ application the petitioner has sought a direction on the respondents to dispose of his representation which has been made praying mutual reallocation of the cadre with his counterpart. It has been stated that after the allocation of cadre, the petitioner and his counterpart who was allocated Jharkhand Cadre made representation for mutual exchange of the cadre before the Principal Secretary, Road Construction Department, Jharkhand, but till date no order has been passed and in the meanwhile the petitioner has been ordered to be relieved with effect from 5.11.2006 after handing over the charge. The grievance of the petitioner is that in the similar circumstance the exchange of cadre has been allowed to several employee, but without any reason the said respondent has not disposed of the petitioner's representation till date and the petitioner is still under threat of his release (relieving) by virtue of Notification No. 4595(5) dated 20.10.2006.

2. Learned Counsel appearing on behalf of the State of Jharkhand submitted that the Principal Secretary, Road Construction Department, Jharkhand has to pass order on the said representation and to send the same to his counterpart of the Government of Bihar. The petitioner has recently approached the said authority and without waiting for any order on his representation, he has filed this writ petition. It has been stated that the petitioner's representation shall be considered and appropriate order shall be passed by the concerned authorities.

3. Considering the submissions made by the learned Counsel and in the circumstance of the case, this writ petition is disposed of, directing the Principal

Secretary, Road Construction Department, Jharkhand to consider the petitioner's representation and pass appropriate order and send the same with all the necessary papers to his counterpart of the State of Bihar within a period of two weeks from the date of receipt/production of a copy of this order. Thereafter, the competent authority of the State of Bihar shall consider the same and pass an appropriate order within a period of four weeks. It has been assured by learned Counsel, for the State of Jharkhand that the petitioner will not be disturbed in the meanwhile.