

(2001) 04 JH CK 0026
In the Jharkhand High Court
Case No : CWJC No. 1356 of 2001

Yogeshwar Tiwari

APPELLANT

Vs

State of Jharkhand

RESPONDENT

Date of Decision : 09-04-2001

Acts Referred:

Citation : (2001) 04 JH CK 0026

Hon'ble Judges : S.N. Mishra, J

Bench : Single Bench

Advocate : Rajiv Ranjan, for the Appellant; S.P. Roy, JC to AG, for the Respondent

Judgement

S.N. Mishra, J.—In this writ application the prayer of petitioner is set out In para 1 which reads thus :

"That the petitioner in the instant writ application prays for the issuance of an appropriate Writ(s)/order(s) or direction (s) commanding upon the respondents to immediately adjust the petitioner on a regular post and immediately pay his salary withheld since 2.5.2000 AND for the further issuance of an appropriate writ(s) order(s) or direction(s) commanding upon the respondents to act pursuant to the direction of the Deputy Inspector General of Police. Hazaribagh vide his memo No. 1 dated 15.11.2000 whereby and whereunder he has directed the Asstt. Superintendent of Police, Hazaribagh, to immediately adjust the petitioner and release his salary withheld since 2.5.2000 AND/OR for issuance of such other appropriate writ, order direction as may be deemed fit and proper in the facts and circumstances of the case for doing con-scionable Justice to the petitioner."

2. It appears that the petitioner was earlier transferred to Chatra on 24.5.2000 but subsequently his transfer was cancelled vide order dated 1.6.2000 which is apparent from the order contained in Annexure-4 in this writ application. Pursuant thereto, the petitioner joined Hazaribagh on 9.6.2000. It further

appears that the Deputy Inspector General of Police, Hazaribagh directed the Superintendent of Police, Hazaribagh to adjust the services of the petitioner and release the salary for the period which has been withheld. a copy of the said order dated 15.11.2000 is made Annexure-9 to this writ application. It appears that the petitioner, thereafter, filed a representation before the respondent Superintendent of Police, Hazaribagh but no order has been passed as yet. Accordingly, the respondent authority is directed to pay the salary of the petitioner forthwith for the period, in question, in terms of the direction issued by the Deputy Inspector General of Police provided there is no legal impediment in paying the salary to the petitioner. This disposes of the writ application.

3. Application disposed of.