

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P. (S) No.126 of 2020

Gangaram Marandi, aged about 51 years, son of Late Dhena Marandi, Resident of Villiage-Dhenukatta, P.O.-Raghunathpur, P.S. Poraiyahat, District Godda (Jharkhand) Petitioner

Versus

1. The State of Jharkhand
 2. The Deputy Commissioner, Godda, P.O. Godda, P.S. Godda (T), District Godda
 3. The Deputy Commissioner, Jamtara, P.O. & P.S. Jamtara, District Jamtara
 4. The Block Development Officer, Meharna, P.O. & P.S. Meharna, District Godda
 5. The District Statistical Officer, Jamtara, P.O. & P.S. Jamtara, District Jamtara
- Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Mr. Manoj Kumar Sah, Advocate
For the Respondents-State : Mr. Prabhat Kumar, S.C. II

02/29.06.2020 Heard Manoj Kumar Sah, learned counsel for the petitioner and Mr. Prabhat Kumar, S.C. II, learned counsel for respondents-State.

This writ petition has been heard through Video Conferencing in view of the guidelines of the High Court taking into account the situation arising due to COVID-19 pandemic. None of the parties have complained about any technical snag of audio-video and with their consent this matter has been heard.

Learned counsel for the petitioner at the outset submits that inadvertently in Paragraph 1, it has wrongly been typed that the salary of the petitioner is due w.e.f. November, 2018 whereas it is due from December, 2018. He submits that in subsequent Paragraphs also similar mistakes are there. Learned counsel for the petitioner submits that he may kindly be allow to correct it.

Accordingly, learned counsel for the petitioner is directed to make necessary correction in the writ petition.

Mr. Sah, learned counsel for the petitioner further submits that petitioner was initially appointed to the post of Block Statistical Supervisor at Kasmar Block in the District-Bokaro on 07.11.1995 and thereafter he was transferred to different places. The salary of the petitioner has been withheld w.e.f. December, 2018 till date. Mr. Sah, learned counsel for the petitioner also submits that written request is there at Annexure-1 but nothing has been done. He further submits that during the pendency of writ petition, the petitioner is receiving salary w.e.f. October, 2019. He submits that only pending arrear of salary has not been paid to the petitioner.

Mr. Prabhat Kumar, S.C. II fairly submits that this matter may be disposed of with direction to the petitioner to file a fresh representation before respondent no.2, who will consider the case of the petitioner in accordance with rules and regulations and take the decision at the earliest.

In view of above facts and considering the submission of learned counsel

for the parties, this writ petition is being disposed of with direction to the petitioner to approach respondent no.2 by way of filing fresh representation claiming salary for the aforesaid period i.e. December, 2018 to September, 2019 within a period of three weeks. If such representation is filed within the aforesaid period, respondent no.2 is directed to consider the case of the petitioner in accordance with rules, regulations, guidelines and precedents and pass appropriate reasoned order within a period of eight weeks thereafter. It goes without saying that if the respondents come to conclusion that petitioner is entitled for the salary as claimed, the same shall be released in favour of the petitioner within a period of four weeks thereafter.

With the aforesaid observations and directions, this writ petition is disposed of.

(Sanjay Kumar Dwivedi, J.)

Anit