

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(C) No. 3825 of 2020

Ajit Kumar

... .. Petitioner

Versus

The State of Jharkhand & Ors.

... .. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : Mr. Nilendu Kumar, Advocate

For the Respondents : Mr. Deepak Kumar Dubey, A.C. to A.A.G.-II

06/07.09.2021 The present case is taken up through video conferencing.

Pursuant to order dated 17.08.2021, the Circle Officer, Mohanpur (the respondent no. 6) is present before this Court through virtual mode.

A supplementary counter affidavit has been filed on behalf of the respondent nos. 4 and 5 seeking apology for putting inconvenience to the Court. It has also been stated inter alia in the said supplementary counter affidavit that the then Circle Officer, Mohanpur was authorized by the Registrar-cum-Deputy Commissioner, Deoghar (the respondent no. 4) to file counter affidavit and she being subordinate to the respondent no. 4 merely obeyed the order.

Be that as it may. On perusal of the counter affidavit dated 08.02.2021, it appears that the same was filed only on behalf of the respondent no. 6. Had the said counter affidavit been filed on behalf of the respondent nos. 4, 5 and 6, the swearing of the affidavit by the respondent no. 6 under authorisation of the respondent no. 4 could have been said to be proper. However, since the said counter affidavit has been filed on behalf of the respondent no. 6 only, the same cannot be treated to be an appropriate one

Hence, let a fresh counter affidavit be filed on behalf of the respondent nos. 4 to 6.

The personal appearance of the respondent no. 6 is dispensed with till further order.

Put up this case after four weeks under appropriate heading to enable the respondent nos. 4 to 6 to file a fresh counter affidavit.

(Rajesh Shankar, J.)