

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P. (S) No.1879 of 2019

Ram Prasad, aged about 71 years, S/o Late Mundrika Prasad, R/o
Nunkudih Basti, P.O. Jitpur, P.S. Jorapokhar, District Dhanbad

.... Petitioner

Versus

1. Jharkhand Mineral Area Development Authority (in short JMADA)
through its Managing Director, having its office Jmada Bhawan,
P.O., P.S. & District Dhanbad
2. Executive Engineer, Water Supply Division at JMADA, Jmada
Bhawan, P.O., P.S. & District Dhanbad
3. Water Works Superintendent, Damodar Head Works of JMADA,
P.O. & P.S. Jamadoba, District Dhanbad

.... Respondents

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Mr. Ajay Kumar Singh, Advocate

For the Respondents : Mr. Santosh Kumar Jha, Advocate

07/09.07.2020 Heard Mr. Ajay Kumar Singh, learned counsel for the
petitioner and Mr. Santosh Kumar Jha, A.C. to Mr. Mahavir Prasad
Sinha, learned counsel for the respondents-JMADA.

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.

The petitioner has preferred this writ petition for direction
upon the respondents to pay full salary with all consequential benefits
for the suspension period from 16.11.2005 to 31.01.2007. The petitioner
has been exonerated from the charge levelled against him. Prayer has
also been made in this writ petition for payment of rest retiral benefits
viz. arrear of ACP/MACP, Provident Fund deposited with the trusty,
difference amount of 50% of D.A. and other admitted service dues if
any.

Learned counsel for the petitioner submits that the petitioner
earlier moved before this Court in W.P.(S) No.1790 of 2011 and
pursuant to the direction of this Court, certain amount has been paid

but the decision on the salary of the petitioner during suspension period has not been taken as yet. Rest of the retiral dues as prayed in the writ petition are also need to be decided.

Mr. Jha, learned counsel for the respondents-JMADA refers to Annexure-8 and submits that reasoned order has already been passed.

The Court has perused the Annexure-8 which is not reasoned order, it is only statement of fact with regard to the amount to be paid to the petitioner.

In view of above fact, the petitioner is directed to file fresh representation before the respondent no.1 within a period of four weeks with all the prayers made in the writ petition. If such representation is filed within the aforesaid period, the respondent no.1 shall take decision in accordance with rules, regulations and guidelines and scheme of JMADA within a period of eight weeks thereafter.

With the above observation and direction, this writ petition stands disposed of.

(Sanjay Kumar Dwivedi, J.)

Anit