
(2011) 04 JH CK 0018

Jharkhand High Court

Case No: Writ Petition (S) No. 6468 of 2010

Ganesh Jha

APPELLANT

Vs

The State of Jharkhand
and Others

RESPONDENT

Date of Decision: April 11, 2011

Citation: (2011) 04 JH CK 0018

Hon'ble Judges: Narendra Nath Tiwari, J

Bench: Single Bench

Judgement

Narendra Nath Tiwari, J.

In this writ petition, the Petitioner has prayed for a direction on the Respondents, particularly, Civil Surgeon, Deoghar, to accept the joining of the Petitioner at Primary Health Centre, Sarwan, District Deoghar, where the Petitioner was to join after his transfer issued by the Regional Deputy Director of Health Services, Santhal Pargana Division, Dumka vide his order dated 22nd May, 2010 and also to pay the entire arrears of salary as well as current salary after joining his post at Primary Health Centre, Sarwan, District Deoghar.

2. When this case is taken up, learned Counsel for the Petitioner submitted that the Petitioner has now been allowed by the Civil Surgeon to join the post and, accordingly, he had given his joining on the post at Primary Health Centre, Sarwan, which has been accepted by letter dated 24th December, 2010 issued by the Civil Surgeon, Deoghar. Regarding the arrears of salary, the Civil Surgeon has mentioned in the said letter that the same shall be considered by the Regional Deputy Director of Health Services, Santhal Pargana Division, Dumka. Learned Counsel submitted that since the Petitioner has been allowed to join the post, the only remaining grievance of the Petitioner is of non-payment of his arrears of salary as well as current salary. The Petitioner approached the concerned authorities several times, but no order has been passed till date. It has been submitted that for non-payment of salary, the Petitioner has been put to untold hardship and has been reduced to penny.

3. Learned J.C. to G.P.II, appearing on behalf of the State, submitted that the Regional Deputy Director of Health Services, Santhal Pargana Division, Dumka is the competent authority to consider the Petitioner"s grievance and pass appropriate order in accordance with law.

4. Considering the said submissions made by learned Counsel for the parties, this writ petition is disposed of, giving liberty to the Petitioner to file a fresh representation, along with a copy of this order, before the Regional Deputy Director of Health Services, Santhal Pargana Division, Dumka-Respondent No. 3 regarding his grievance. On receipt of such representation, the said Respondent shall consider the same and pass appropriate order in accordance with law within a period of four weeks from the date of receipt of the representation. If the Petitioner"s claim is found admissible, the admitted amount of arrears shall be paid to the Petitioner within a period of six weeks thereafter. The said Respondent shall also pass specific order for payment of current salary, if the Petitioner is found working and legally entitled for the same.