IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(S) No.65 of 2014

Jai Narain Baitha ..… Petitioner

Versus

1. The State of Jharkhand
2. The Principal Secretary, Water Resources Department, Government of Jharkhand, Ranchi, officiating from Nepal House, Post-Doranda, Police Station-Doranda, District-Ranchi
3. The Chief Engineer, Water Resources Department, Government of Jharkhand, Ranchi officiating from the campus of HEC High School, Sector III, Jagarnathpur, Dhurwa, Post Dhurwa, Police Station Jagarnathpur, District Ranchi,
4. The Superintending Engineer, Waterways Circle, officiating from Dam Side, Dhurwa, Post Dhurwa, Police Station Jagarnathpur, District-Ranchi
5. The Executive Engineer, Waterways Division, officiating from Dam Side Dhurwa, Post-Dhurwa, Police Station Jagarnathpur, District-Ranchi
6. The Commissioner, North Chotanagpur Division, Ranchi, officiating from Kutchery Road, Post GPO, Police Station Sadar, District Ranchi
7. The Accountant General, Jharkhand, Ranchi, officiating from the Office of the Accountant General, Post Doranda, Police Station Doranda, District Ranchi ….. Respondents

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CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioner : Ms. Ritu Kumar, Advocate
Mr. Vikash Kumar, Advocate
For the Respondents-State : Mr. K.K. Singh, Advocate
For the Accountant General : Mr. Akash Deep, Advocate

03/ 14/12/2020 Heard through V.C.

2. The instant writ application has been preferred by the petitioner praying for a direction upon the concerned respondent to correct the date of appointment of the petitioner as 30.09.1981 instead of 1.3.1981, as communicated by the Chief Engineer, Water Resources Department, Jharkhand, Ranchi to the Accountant General, Jharkhand,

Ranchi by his letter contained in Memo No.2180 dated 15.10.2012 (Annexure-6) and the corrigendum as contained in Memo No.2280 dated 29.10.2012 (Annexure-7); and also for a further direction to the respondents to fix and pay the Pension of the petitioner and to pay the balance of provisional pension, Gratuity, Dearness Allowances, Group Insurance and leave encashment as well as the benefit of 3rd Modified Career Assured Progression Scheme (MACP) to the petitioner immediately and forthwith with an interest @ 18% per annum from the date of superannuation i.e. 28.2.2013 till the actual payment.

3. Mr. Vikash Kumar, learned counsel for the petitioner submits that though he had filed a detailed representation before the concerned respondent (Annexure-8), but the same has not yet been disposed of. He further submits that a direction may be issued to the concerned respondent to dispose of the representation, whereby the petitioner has raised his grievance.

4. Mr. K.K. Singh, learned counsel for the respondent-State does not have any serious objection.

5. In view of the aforesaid limited submission of learned counsel for the petitioner, this writ application is hereby disposed of by giving liberty to the petitioner to raise his grievance with regards to correction of date of appointment and/or payment of retiral benefits before the respondent No.3 within a period of three months from today.

If any such representation is filed before the respondent No.3, the same shall be disposed of after due verification of records and

a reasoned order be passed within a period of 4 months from the date of receipt of such representation and if any amount is found payable to the petitioner, the same shall also be paid within the aforesaid stipulated period.

6. With the aforesaid observation and direction, the instant writ application stands disposed of.

(Deepak Roshan, J.)

Pramanik/