

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P. (S) No. 1574 of 2018
With
I.A. No. 4837 of 2018
With
I.A. No. 5380 of 2019
With
I.A. No. 5381 of 2019
With
I.A. No. 5382 of 2019

Manoj Kumar Singh & Others

... **Petitioners**

-Versus-

Damodar Valley Corporation, Kolkata & Others

... **Respondents**

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioners : Mr. Vipul Poddar, Advocate

For the Respondent-DVC : Mr. Anil Kumar Sinha, Sr. Advocate

13/14.01.2021. Heard Mr. Vipul Poddar, learned counsel for the petitioners and Mr. Anil Kumar Sinha, learned Senior counsel for the respondent-DVC.

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 on merit.

I.A. No. 5382 of 2019

I.A. No. 5382 of 2019 has been filed for deleting the names of petitioner nos. 9, 10 and 11 from the cause-title of the writ petition.

It has been submitted at bar by Mr. Vipul Poddar, learned counsel for the petitioners that petitioner nos. 9, 10 and 11 are not willing to pursue this writ petition and that is why this I.A. has been filed.

Mr. Anil Kumar Sinha, learned Senior counsel for the respondent-DVC has got no objection if the prayer made in the I.A. is allowed.

The prayer made in the I.A. is allowed.

Accordingly, I.A. No. 5382 of 2019 stands allowed and disposed of.

Learned counsel for the petitioners shall make out necessary correction in the cause-title of the writ petition.

I.A. No. 5380 of 2019

I.A. No. 5380 of 2019 has been filed for amendment in the writ petition.

The amendment sought for in the writ petition has been explained in paragraph 8 of the said I.A.

Mr. Anil Kumar Sinha, learned Senior counsel for the respondent-DVC submits that if the I.A. is being allowed, the petitioners may be directed to file amended writ petition so that the respondent-DVC may be able to file reply to the amended writ petition.

In view of the above facts and considering the submissions of the learned counsel for the parties, the prayer made in the said I.A. is allowed.

Accordingly, I.A. No. 5380 of 2019 stands allowed and disposed of.

The petitioners shall file amended writ petition with advance copy to be served to the learned counsel for the respondent-DVC within a period of three weeks. Thereafter, the respondent-DVC shall file response to the amended writ petition within further period of three weeks.

I.A. No. 5381 of 2019

I.A. No. 5381 of 2019 has been filed for directing the respondent-DVC to allow the petitioners to discharge their duties on their respective posts till disposal of the instant writ petition.

The nature of the said I.A. and looking into the prayer made in the writ petition, it appears that the prayers made in both the petitions are similar. If the prayer in the said I.A. is allowed, it amounts to allowing the prayer in the writ petition, which is not permissible under the law.

Accordingly, I.A. No. 5381 of 2019 stands dismissed.

I.A. No. 4837 of 2018

Learned counsel for the petitioners is not pressing this I.A.

Accordingly, I.A. No. 4837 of 2018 stands dismissed as not pressed.

(Sanjay Kumar Dwivedi, J.)

Ajay/