

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(S) No.1494 of 2022

Sanjay Kumar Jha		Petitioner
State of Jharkhand & Ors.		Respondents

CORAM : HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD

For the Petitioner	: Mr. Manoj Tandon, Advocate
For the State	: Mr. Rahul Saboo, Advocate

06/31.03.2023 This writ petition is for quashing of the order dated 11.03.2022, by which, ignoring the case of the writ petitioner, the junior to him in the seniority list, i.e., respondent no.6 has been posted to discharge his duty as Engineer In-Chief (In-charge), Drinking Water and Sanitation Department, Govt. of Jharkhand.

The grievance has been raised that such decision of ignoring the case of the writ petitioner for In-charge posting to work as Engineer-in-Chief has been declined on the ground of punishment of censure, has been inflicted.

The ground to that effect has been taken in the counter affidavit as would appear from paragraph-14 thereof.

Mr. Tandon, learned counsel appearing for the writ petitioner has submitted by referring to paragraph-11 of the writ petition that the order inflicting punishment of censure dated 14.12.2021 as contained in notification no.3288 has been challenged by filing the writ petition being W.P.(S) No.1177 of 2022 which is still pending for its adjudication.

This Court, after taking into consideration the fact that the ground has been taken on behalf of the State in declining to give the writ petitioner posting to perform his duty as Engineer-in-Chief in the In-charge capacity is the order of punishment and since the same is challenged by filing the writ petition being W.P.(S) No.1177 of 2022, therefore, bearing of the aforesaid writ petition will be upon this writ petition.

Considering the same, let this matter be listed along with W.P.(S) No.1177 of 2022.

It has been submitted by Mr. Tandon, learned counsel for the petitioner that the writ petitioner is going to superannuate from service in the month of August, 2023 and as such, liberty may be given to mention this case for early hearing.

In view thereof, the writ petitioner is at liberty to mention this case before the appropriate Bench.

(Sujit Narayan Prasad, J.)

Rohit/-