

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (S) No. 5156 of 2010

Ashok Kumar.

... ..Petitioner

-Versus-

The State of Jharkhand & Ors.

... ..Respondents

CORAM: THE HON'BLE MR. JUSTICE DR. S.N.PATHAK

(Through: Video Conferencing)

For the Petitioner	: Mr. Manoj Tandon, Advocate.
For the State of Bihar	: Mr. S.P. Roy, Advocate.
For the State of Jharkhand	: Mr. Suresh Kumar, S.C.-V.
	: Mr. Ashish Shekhar, A.C. to S.C.-V
For the Private respondent	: Mr. Vikash, Advocate.

14/ 21.08.2020

In view of outbreak of COVID-19 pandemic, case has been taken up through Video Conferencing. Concerned lawyers have no objection with regard to the proceeding, which has been held through Video Conferencing today at 10:30 A.M. onwards. They have no complaint in respect to the audio and video clarity and quality.

Learned Counsel for the petitioner is directed to implead Mr. Satyendra Prasad Singh as party-respondent No.6.

Since Mr. Vikash accepts notice on behalf of newly added respondent No.6, no notice need be issued to him.

Heard the parties at length.

The issue to be decided in the instant writ application is:

- i. Whether the unilateral withdrawal is permissible in the eyes of law ?*
- ii. Whether at the fag end of service the petitioner who continued to work in the State of Jharkhand on the basis of mutual transfer can be asked to join the service in the State of Bihar only on the ground that it was a unilateral withdrawal though the same was approved by the State of Bihar ?*

The State of Bihar is directed to file specific affidavit as to under what circumstances the mutual transfer of the petitioner was recalled though it was approved earlier.

Admit.

Put up this case on 24.09.2020 under the heading for '*Final Hearing*'.

(Dr. S.N. Pathak, J.)

P.K.S.