

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(C) No. 1791 of 2010

Dr. (Smt.) Shashi Lal Petitioner

Versus

Jharkhand State Housing Board through its Managing Director,
Harmu, Ranchi & Ors. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : Mr. Ankit Kumar, Advocate

For the Resp. Nos. 1 to 3 : Mrs. Surabhi, A.C. to
Mr. Sachin Kumar, Advocate

For the Resp. Nos. 4 to 7 : Mr. Rahul Saboo, G.P.-II
Mr. Abhilash Kumar, A.C. to G.P.-II

For the Intervener : Mr. Samir Kumar Lall, Advocate

Order No. 16

Dated: 15.01.2025

I.A. No. 2449 of 2011

The present interlocutory application was filed on behalf of the petitioner on 12.08.2011 for amendment in the writ petition in view of issuance of fresh advertisement by the Jharkhand State Housing Board for allotment of various plots in different places of the State of Jharkhand.

2. Learned counsel for the petitioner does not press the present interlocutory application.

3. Accordingly, I.A. No. 2449 of 2011 is dismissed as not pressed.

I.A. No. 4247 of 2022

4. The present interlocutory application was filed on behalf of the Principal Secretary, Department of Cabinet Secretariat and Vigilance, Government of Jharkhand on 11.05.2022 seeking extension of time to file affidavit pursuant to order dated 09.05.2022 read with order dated 21.03.2022.

5. Having heard learned counsel for the parties and considering that subsequently show cause affidavit was filed on behalf of the then Principal Secretary, Department of Cabinet

Secretariat and Vigilance, Government of Jharkhand on 08.06.2022, the time prayed for filing the said affidavit is extended till 08.06.2022 i.e., the date on which the said show cause affidavit was filed.

6. I.A. No. 4247 of 2022 is accordingly disposed of.

I.A. No. 4596 of 2022

7. The present interlocutory application has been filed by the applicant – Ramnath Lal Das seeking intervention in this case also praying inter alia that the respondent- Jharkhand State Housing Board may be directed to remove the encroachment done in front of his house i.e., M.I.G.-B/25, Hirapur Housing Colony, Dhanbad.

8. Having heard learned counsel for the applicant, this Court is of the view that the scope of the present writ petition cannot be extended so as to entertain the aforesaid prayer of the applicant who is not the petitioner in this case.

9. I.A. No. 4596 of 2022 is accordingly dismissed.

10. The applicant is however at liberty to prefer a fresh writ petition on the aforesaid issue, if so advised.

I.A. No. 4766 of 2022

11. The present interlocutory application has been filed on behalf of the Principal Secretary, Department of Cabinet Secretariat and Vigilance, Government of Jharkhand, Ranchi to recall the part of the orders dated 21.03.2022, 09.05.2022 and 12.05.2022 passed in this case with respect to conducting vigilance inquiry, in the light of order dated 12.05.2022 passed by learned Division Bench of this Court in L.P.A. No. 131 of 2022 and other analogous

cases.

12. Learned counsel for the petitioner submits that Mr. George Kumar, the then Secretary, Jharkhand State Housing Board, preferred L.P.A. No. 131 of 2022 challenging the order dated 21.03.2022 passed in this case. Moreover, L.P.A. No. 138 of 2022 and L.P.A. No. 190 of 2022 were also preferred by the Jharkhand State Housing Board through its Managing Director and the State of Jharkhand through the Principal Secretary, Cabinet Secretariat and Vigilance Department respectively challenging the said order. All the aforesaid L.P.As. were finally allowed by learned Division Bench of this Court vide order dated 12.10.2023. Under the said circumstance, the present interlocutory application filed on behalf of the Principal Secretary, Cabinet Vigilance, Government of Jharkhand to recall the order dated 21.03.2022 and other consequential orders i.e., orders dated 09.05.2022 and 12.05.2022, has now become infructuous.

13. Considering the aforesaid submission, I.A. No. 4766 of 2022 is disposed of as infructuous.

I.A. No. 4767 of 2022

14. The present interlocutory application has been filed on behalf of the Principal Secretary, Department of Cabinet Secretariat and Vigilance, Government of Jharkhand, Ranchi to keep in abeyance the part of the orders dated 21.03.2022, 09.05.2022 and 12.05.2022 passed in this case with respect to conducting vigilance inquiry, in the light of order dated 12.05.2022 passed by learned Division Bench of this Court in L.P.A. No. 131 of 2022 and other analogous cases.

15. In view of the order passed in I.A. No. 4766 of 2022, the present interlocutory application is also disposed of as infructuous.

I.A. No. 7919 of 2022

16. The present interlocutory application has been filed on behalf of the then Principal Secretary, Department of Cabinet Secretariat and Vigilance, Government of Jharkhand, Ranchi seeking modification of the order dated 09.06.2022 and to expunge the adverse remarks made against her in the said order.

17. Having heard learned counsel for the parties, the remarks made against the then Principal Secretary, Department of Cabinet Secretariat and Vigilance, Government of Jharkhand, Ranchi in the order dated 09.06.2022 is expunged keeping in view that the learned Division Bench vide order dated 12.10.2023 has already set aside the order dated 21.03.2022 containing similar remarks passed by learned Single Judge in W.P.(C)No. 1791 of 2010 with W.P.(C) No. 2099 of 2008.

18. I.A. No. 7919 of 2022 is accordingly disposed of.

W.P.(C) No. 1791 of 2010

19. Put up this case under the heading "For Admission" after two weeks.

Ritesh/

(Rajesh Shankar, J.)