



IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(S) No. 2334 of 2016

Sushil Kumar Roy

... .. **Petitioner**

V E R S U S

1. The State of Jharkhand
 2. The Principal Secretary, Cabinet Secretariat and Vigilance
Department, Govt. of Jharkhand, Ranchi
 3. The Under Secretary, Cabinet Secretariat and Vigilance
Department, Govt. of Jharkhand, Ranchi
 4. Inspector General, Anti-Corruption Bureau, Jharkhand, Ranchi
- **Respondents**

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

For the Petitioners : Mr. Rajiv Ranjan, Advocate.
Mr. Shreya Mishra, Advocate
Mr. Piyush Chitresh, Advocate

For the Respondents: Mr. Atanu Bannerjee, GA.

I.A. No. 179 of 2018

06/06.07.2018 I.A. No. 179 of 2018 has been filed for clarification of order dated 04.05.2016/11.05.2016 and in alternative for extension of the interim order dated 04.05.2016/11.05.2016 in light of orders dated 09.11.2017 and 11.12.2017 passed by the Lokayukta, Jharkhand.

From perusal of the records it appears that earlier this Court vide order dated 04.05.2016 stayed the impugned letter no. 758, dated 26.04.2016, issued by respondent no. 3, till filing of the counter affidavit. Further, on 11.05.2016, it was observed that interim order dated 04.05.2016 shall continue as no counter affidavit was brought on record.

The Office of Lokayukta, vide order dated 27.08.2013, had passed an order with a direction to the Additional Director General of Police (Vigilance) for enquiring the matter regarding disproportionate assets of the petitioner. On the direction of Lokayukta, the matter was enquired and the Superintendent of Police (Vigilance), after the enquiry, found that there was nothing adverse against the petitioner and hence the enquiry was closed, which is evident from Annexures-4 (dated 15.01.2014) and 5 (dated 07.05.2014) of the Writ Petition.

All of a sudden, vide letter dated 26.04.2016, the Deputy Secretary of the State directed the Inspector General of Police (Vigilance) to lodge an F.I.R. against the petitioner and proceed for investigation and submit a report which has been challenged by the writ petitioner in



this writ petition. As the matter is subjudice before the Lokayukta and no final order has been passed by this Court, I.A. No. 179 of 2018 has been filed for grant of interim stay till final adjudication of this writ petition.

From the order dated 13.03.2018, it is evident that the Coordinate Bench of this Court had already clarified the issue of interim stay wherein it was observed that the order dated 04.05.2016/11.05.2016 was operative till 18.05.2016 and not beyond. Since prayer was made before Coordinate Bench for extension of interim stay, the matter was directed to be placed before a Regular Bench.

As no final order has been passed in the present Writ Petition, let the interim order dated 04.05.2016/11.05.2016 remain in force till further orders.

I.A. No. 179 of 2018 stands disposed of.

W.P.(S) No. 2334 of 2016

Put up this case under the heading for 'Admission' on 27.07.2018.

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