

Dadan Ram and anr. Vs. Union of India (Uoi) and ors.

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Court : Jharkhand

Decided On : Aug-30-2005

Reported in : [2006(1)JCR373(Jhr)]

Judge : Altamas Kabir, C.J. and; R.K. Merathia, J.

Appeal No. : LPA No. 410 of 2005

Appellant : Dadan Ram and anr.

Respondent : Union of India (Uoi) and ors.

Advocate for Def. : J.P. Gupta and; Shahid Khan, Advs. for respondents No. 2 and 8

Advocate for Pet/Ap. : Sohail Anwar and; Altaf Hussain, Advs.

Judgement :

ORDER

1. This matter relates to a case of mutual transfer between one Babulal Ram and Lalit Kumar Ram whose services have been allocated to the State of Jharkhand from Bihar and the appellants herein whose services have been allocated to the State of Bihar. It appears that the said Babulal Ram and Lalit Kumar Ram have agreed to remain in the State of Bihar and have filed representations to the competent authority of the successor State. Since the matter was kept pending by both the State of Jharkhand and State of Bihar, the appellants filed a writ petition,

being WP(S) No. 2265/2005, which was disposed of on 11th May, 2005 by the learned single Judge by directing the competent authority of the successor State to dispose of the representations said to have been made by the appellants on 11th April, 2005 and 20th April, 2005 within a period of thirty days from the date of receipt of a copy of the order.

2. The present, appeal has been preferred by the writ petitioners on the ground that their prayer for stay of the order by which they were allocated to the Bihar cadre had not been considered by the learned single Judge. Accordingly, in the instant appeal an Interlocutory Application, being I.A. No. 2151/2005, has been filed for stay of a subsequent order passed on 9th August, 2005 issued by the Ranchi Regional Development Authority where the appellant No. 2 has been working, relieving the said appellant from his duties in the Road Construction Department of the Government of Jharkhand, Ranchi.

3. Having considered the submissions made on behalf of the respective parties, we dispose of the appeal by directing the concerned respondent to dispose of the pending representations made by the appellants within one month from the date of communication of this order after giving the appellants an opportunity of hearing and till such time, as the representations are not disposed of, the operation of the impugned orders and in particular the order dated 9th August, 2005, being Annexure-7 of to the Interlocutory Application, shall remain stayed.