

indar Sahu and ors. Vs. the State of Jharkhand and ors.

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Court : Jharkhand

Decided On : Apr-30-2010

Judge : D.N. Patel, J.

Appellant : indar Sahu and ors.

Respondent : The State of Jharkhand and ors.

Judgement :

D.N. Patel, J.

1. Learned Counsel for the petitioners submitted that despite notice was issued by this Court, under registered cover with acknowledgment, upon respondent No. 6 vide order dated 4th January, 2010 and despite the fact that the petitioners have deposited necessary requisites amount, neither acknowledgment card nor undelivered registered cover has been returned to this High Court. Thus, the respondent is unserved, even on today, and therefore, the matter is to be adjourned, from time to time.

2. In view of this submission and looking to the fact that the Postal Department have been failed to perform their duties, since long, though notice under registered cover with acknowledgment have given to them for serving upon the concerned respondent, this notice has not been served. On earlier occasion also, the order has been passed by this Court about this aspect of the matter. Copies of the earlier orders have also been sent to the Chief Postmaster General of the State of

Jharkhand as well as to the learned Counsel for the Central Government i.e. Assistant Solicitor General of India. Today, the learned Assistant Solicitor General of India is present before the Court and has also called Mr. U.N. Pandey, S/o Late R.S. Pandey, working as Sr. Superintendent of Post Office, Ranchi Division. Ranchi and Mr. Anil Kumar Gupta, S/o Late Jagdish Prasad Gupta, working as I.P.O. Vigilance Reported to C.P.M.G., Ranchi, the officers, from the office of Postal Department, Ranchi, before this Court.

3. It is assured by the officers of the Post Office, Jharkhand, Ranchi that they are issuing a Circular for fixing duties of the concerned officers in this matter and they are also going to inform about the matter to the Chief Postmaster General, who is at Patna and who is Incharge of the post of the Chief Postmaster General, Jharkhand, Ranchi and they will also inform about this matter to the concerned high ranking officer i.e. the Director General of Post, New Delhi and they are searching either acknowledgment card or the undelivered registered cover, in the present case and therefore, they are seeking time.

4. I hereby, direct the learned Counsel for the petitioners to join 'Chief Postmaster General, State of Jharkhand' as party respondent No. 7.

5. Md. Mokhtar Khan, learned Assistant Solicitor General of India, waives notice on behalf of newly joined party respondent No. 7 and has assured this Court that after issuance of a Circular, perhaps, this difficulty will not have to be faced and in this matter, they are seeking time to find out the acknowledgment card or undelivered registered cover.

6. In view of these submissions, the matter is adjourned on 24th May, 2010.

7. Copy of this order will be given to Md. Mokhtar Khan, learned Assistant Solicitor General of India, on behalf of the newly joined party respondent No. 7.

8. Registry is directed to show the name of Md. Mokhtar Khan, learned Assistant Solicitor General of India, on behalf of newly joined party respondent No. 7. in the daily cause list.

9. Looking to the aforesaid failure on the part of the Postal Department for not returning the acknowledgment card or for not returning the undelivered registered cover, I hereby, suggest officers of the Postal Department that the acknowledgment card could have been altogether of a different colour, which can be ostensibly noticed by human eye. Likewise, a different colour should be there of a registered cover. Whenever, the High Court is issuing notice to be served in any High Court matters or in any Court matters, those envelopes should be of an eye-catching different colour and acknowledgment card should also be of a different colour from other ordinary registered cover. By changing the colours of acknowledgment card and registered cover, speedily these types of registered cover and acknowledgment cards can be noticed by the staffs as well as officers of the Postal Department, which will be served quickly upon the concerned parties and acknowledgment card or undelivered registered cover can be returned to the High Court.

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