

IN THE GAUHATI HIGH COURT
(The High Court of Assam: Nagaland: Mizoram and Arunachal Pradesh)

ITANAGAR PERMANENT BENCH

WP(C) No. 31 (AP)2018

Shri Joram Alla @ Sala,
S/o Lt. Joram Tem, aged about 55 years,
Permanent resident of village, Joram,
PO. Yachuli, PS. Yazali, District Lower Subansiri,
Arunachal Pradesh.
Mobile No. 9615265827

.....Petitioner

-Versus-

1. The State of Arunachal Pradesh represented by the Chief Secretary to the Govt. of Arunachal Pradesh, Itanagar.
2. The Secretary, Information and Public Relations, Govt. of Arunachal Pradesh, Itanagar.
3. The Director, Information and Public Relations, Govt. of Arunachal Pradesh, Naharlagun.

.....Respondents

For the Petitioner : Mr. Neelam Taji
Mr. D. Gumbo
Mr. C. Logi

For the respondents : Ms. Riyum Basar, Govt. Adv.

BEFORE
THE HON'BLE MR. JUSTICE AJIT BORTHAKUR

Date of hearing &
Date of judgement : **02.02.2018**

JUDGEMENT & ORDER (ORAL)

Heard Mr. Neelam Taje, learned counsel appearing for the petitioner and Ms. Riyum Basar, learned Govt. Advocate appearing for the State respondents.

2. By preferring the instant petition under Article 226 of the Constitution of India, the petitioner has sought for a direction to the State respondents to make available his missing File(s) of service records from the official custody of the Directorate, Information and Public Relations, Govt. of Arunachal Pradesh and to release his monthly salary from the year 1997 till date.

3. The petitioner's grievance, in a nutshell, is that he had joined as a Driver, on 28.08.1982, in the Department of Information and Public Relations, Govt. of Arunachal Pradesh and posted in the office of the District Information and Public Relations Officer, Upper Subansiri District, Daporijo, till 27.03.1991, and on transfer therefrom, he joined in the office of the District Information and Public Relation Officer, Lower Subansiri District, Ziro, and worked till 01.07.1994. The petitioner was again transferred, on his request, to the office of the Director, Information and Public Relations, Govt. of Arunachal Pradesh, Naharlagun, where he joined on 11.07.1994. Accordingly, the petitioner's Service Book, leave account, etc., were transmitted to the aforesaid office at Naharlagun. The petitioner has further contended that he availed Earned Leave in the year 1997 and thereafter, he submitted his joining report. However, since then he has not been getting his monthly salary for missing of his entire service records, such as, Service Book, GPF Account, Passbook, etc.. The petitioner submitted representations twice on 20.04.2016, and 27.04.2016, and also personally approached the authority repeatedly to readdress his grievances but no action has so far been taken.

4. Mr. Taje, learned counsel for the petitioner, submits that for no fault on the part of the petitioner, who is at the lowest rung in service and poorly paid, he has been miserably suffering for years together without salary despite regularly attending his duty and as such, the authority may be directed to trace-out his service documents and to pay his outstanding monthly salary without any further delay. Mr. Taje, learned counsel, further submits that the petitioner is now left

with only 2 (two) years of service to attain superannuation and therefore, the instant matter may be disposed of, on priority.

5. Ms. Basar, learned Govt Advocate, submits for some time to obtain necessary instructions from the Department concerned and to file affidavit in opposition, if necessary. Ms. Basar, however, expresses her concern in the backdrop of the facts of the instant case.

6. Having realized the pitiable plight of the petitioner, who is a regular employee in the Department of Information & Public Relations, Govt. of Arunachal Pradesh, for being deprived of his salary for about 10 (ten) years on account of missing of his service records from the office concerned, and upon hearing the learned counsel of both sides, this Court is of the considered opinion that to meet the ends of justice, it is desirable that an appropriate order be passed by the Court to consider and dispose of the petitioner's representations, dated 20.04.2016 and 27.04.2016, submitted to the respondent No. 3 viz. the Director, Information and Public Relations, Govt. of Arunachal Pradesh, which are lying unattended, till date.

7. Accordingly, the respondent authorities, more particularly, the respondent No. 3 viz. Director of Information & Public Relations, Government of Arunachal Pradesh, is hereby directed to consider and dispose of the petitioner's representations, dated 20.04.2016 and 27.04.2016, by a speaking and reasoned order, strictly, in accordance with law, within a period of 1 (one) month from the date of receipt of a certified copy of this order which shall be furnished by the petitioner within 7(seven) days from today.

8. The instant Writ Petition stands disposed of accordingly. There shall be no order as to costs.

JUDGE

Victoria/Eibash