

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(C) No.704 of 2025

Parwez Ahmad Khan

..... Petitioner

Versus

The State of Jharkhand & Ors.

.....Respondents

**CORAM : HON'BLE MR. JUSTICE DEEPAK ROSHAN
HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA**

For the Petitioner : Mr. Chanchal Jain, Adv.

For the Respondent : Mr. Ajit Kumar, AC to G.A.-V

For the Res. No.6 : Mr. Rahul Kr. Pandey, Adv.

: Mr. Arun, Adv.

: Ms. Sharda Kumari, Adv.

06/Dated:02.09.2026

I.A. No.10933 of 2025

An interlocutory application has been preferred by the respondent no.6 praying *interalia* that the order passed by the Writ Court in this case on 19.02.2025 is *dehors* merit and as a matter of fact it is incorrect order and for that reason his salary has been stopped.

2. For brevity order dated 19.02.2025 is extracted herein under:-

1. Heard both the sides.

2. In spite of specific direction in the previous order to the respondents to inform why the respondent no. 5/6 is not releasing the payment due to the petitioner, as admitted in Annexure-13 dated 14.03.2024, counsel for the respondents states that an I.A. is being moved seeking 8 weeks' time to give explanation.

3. Admittedly, in Annexure-13 in respect of the work executed by the petitioner in 2012-13 the same respondent no. 5 had recommended on 14.03.2024, release of Rs. 33,85,331/- to the petitioner. Since no satisfactory explanation for the non-payment of the same is coming forth from the said respondent, the salary payable to the respondent no. 5 shall be stopped forthwith,

until he processes and makes the payment as admitted in Annexure-13 dated 14.03.2024.

4. List this case on 04.03.2025.

3. From bare perusal of the order dated 19.02.2025 it appears that in para-3 there is a specific finding given by the Coordinate Bench of this Court that respondent no.5 had recommended on 14.03.2024 for release of Rs.33,85,331 to the petitioner. However, since no satisfactory explanation for the non-payment was coming till that date, the salary of respondent no.5 was stopped until he processes and make payment. Even today, the payment has not been made.

4. In the entire interlocutory application, it appears that this respondent no.6 is contesting the matter on merit and on the other side the State respondent has admitted; rather Mr. Ajit Kumar, learned counsel representing the Official respondent i.e. respondent nos.1-5 has made statement before this Court today that if the matter will be posted after couple of weeks, then he will get information as to when the payment will be made. There is no argument on behalf of the Official respondent regarding merits of the case.

5. Learned counsel for the Official respondent has also submitted that the order dated 19.02.2025 has not been assailed before the Hon'ble Apex Court. Moreover, a question was put to the learned counsel for the Official respondent that Annexure-12 and Annexure-14 is self-explanatory which indicates that a proposal for payment was made by the then Executive Engineer and the same was admitted and sanctioned by the Superintendent Engineer, then there is no fun in not paying the admitted dues to this petitioner and instead of prayer for modification with regard to salary, the respondent no.6 wants to challenge the same order in the

name of modification. If the State respondents were not agreeable to the order dated 19.02.2025, they should have taken appropriate steps.

6. Having regard to the above discussions, this interlocutory application being I.A. 10933 of 2025 is dismissed.

7. Learned counsel for the State respondent shall inform this Court within a period of two weeks as to when the actual payment will be made which was admitted by Annexure-12 and sanctioned by the Annexure-13.

8. List on 14.09.2026 at 10:30 A.M.

(Deepak Roshan, J.)

(Pradeep Kumar Srivastava, J.)

02.09. 2026
Fahim/-