

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(L) No. 534 of 2026

Management of M/s Neutral Publishing House Limited
(Prabhat Khabar) through its General Manager (HR) Shri Vikash Kumar, aged about 43 years, son of Shri R. P. Singh r/o 15-P, Kokar Industrial Area, P.O Kokar, P.S Sadar, District Ranchi

... .. **Petitioner**

Versus

Shri Amrendra Kumar, son of Shri Rameshwar Das, resident of Har Prasad Bhawan (Sita Hotel Ke Piche), Nilkantpur, P.O- Deoghar, P.S Deoghar, District Deoghar.

... .. **Respondent**

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner : Mr. Deepak Kumar Bharati, Advocate
For the Respondent : Mr. Amrendra Kumar, In-person

03/19.03.2026

Heard the learned counsels appearing on behalf of the parties.

2. This writ petition has been filed for the following reliefs:

“(i) For issuance of writ of certiorari or such other appropriate writ(s)/order(s) / direction(s) seeking quashing of order dated 13.11.2025 (Annexure 13) passed by the learned Presiding Officer, Labour Court, Deoghar in Reference case no. 01 of 2021 whereby the learned Court below in gross violation of order dt 12th June 2024 passed by Hon'ble High Court of Jharkhand in WP(L) 122/2024 and contrary to its own order dt 3/8/24 and 12/7/25 passed in Reference case no. 01 of 2021 has closed the evidence of Management and fixed the case for argument,

AND

(ii) For issuance of writ of certiorari or such other appropriate writ(s)/order(s)/direction(s) seeking quashing of order dated 18.12.2025 (Annexure 15) passed by the learned Presiding Officer, Labour Court, Deoghar in Reference case no. 01 of 2021 whereby the learned Court below has rejected the petition for recall of order dt 13.11.2025 passed in Reference case no. 01 of 2021.

AND

(iii) For appropriate issuance of appropriate order(s) /direction(s) upon the learned Presiding Officer, Labour Court, Deoghar to comply with the order dt 12th June 2024 passed by Hon'ble High Court of Jharkhand in WP(L)

122/2024 for examining witness namely Dhruv Gupta ,Chartered Accountant & Partner, DGR & Associates, Jaipur, Rajasthan in respect of Exhibit -W-15, Exhibit-W-16, Exhibit W-17 to prove & justify the calculation made under Majithia Wage Board as well as veracity of his certificate issued by him towards workman's claim of Rs 47,51,712/- or the reference amount of Rs 55,44,601/-.

AND/OR

(iv) For issuance of such other appropriate writ/writs, order/orders, direction/directions as Your Lordships may deem fit and proper for doing conscionable justice to the petitioner in the facts & circumstances of this case.”

3. Learned counsel for the petitioner has submitted that the petitioner had moved this Court earlier by filing a writ petition being W.P.(L) No. 122 of 2024 challenging the order dated 30.12.2023 passed by the learned Presiding Officer, Labour Court in Reference Case No. 1 of 2021. By the said order dated 30.12.2023 the petition of the writ petitioner seeking to summon the chartered accountant, who had issued the certificate, for examination was rejected. Vide order dated 12.06.2024 passed in the said writ petition, this Court had set-aside the said impugned order dated 30.12.2023 and the learned labour Court was directed to pass appropriate order to summon the chartered accountant for the purposes of his examination with respect to the calculation said to have been made by him and already produced by the respondent-workman before the learned court.

4. The learned counsel for the petitioner submits that pursuant to the order passed in W.P.(L) No. 122 of 2024, the summons were issued by the learned labour court and when the chartered accountant did not appear, bailable warrant of arrest was also issued vide order dated 12.07.2025 (Annexure-10). The learned counsel submits that without waiting for the service report of the bailable warrant of arrest, the learned labour court again closed the evidence of the management by observing that the case was an old case of the year 2021 and was of the view that keeping the case pending for testimony of the said witness, was not justified. Learned counsel for the petitioner submitted that thereafter a petition seeking recall of the said order was also filed

which has also been rejected by the learned court citing the same reasons. Both the orders are under challenge before this court.

5. The learned counsel for the petitioner has submitted that the workman was relying upon the certificate issued by the chartered accountant and as per the calculation in the certificate, the due amount was Rs. 55 lakhs and odd and therefore, the chartered accountant was required to be cross-examined and for that purpose, the earlier writ petition was filed which was disposed of by allowing such prayer.

6. Learned counsel for the petitioner has also submitted that the learned labour court has closed the evidence of the management without waiting for the execution report of the bailable warrant of arrest, although the learned court had written letter to the Director General of Police, Rajasthan and also to the Police Commissioner, Jaipur to send the report with regard to service of bailable warrant of arrest. He submits that if ultimately the said chartered accountant does not turn up, then the document issued by him cannot be read into evidence. Learned counsel has submitted that under such circumstances, the order passed by the learned labour court closing the evidence of the management and subsequent order refusing to recall the said order, cannot be sustained in the eyes of law.

7. The workman in-person, namely, Amrendra Kumar has opposed the prayer and has referred to paragraph 15 of his counter-affidavit to submit that the management paid to the respondent gross salary in the year 2011 @ Rs. 11770/- per month, in the year 2012 @ Rs. 12,480/- per month, in the year 2013 @ Rs. 12,480/- per month, in the year 2014 @ Rs. 13,480 per month and in the year 2015 @ Rs. 14,480/- per month while under Majithia Wage Board, minimum salary should not have been less than Rs. 43,237/- in July, 2015 when the dispute arose on 20.07.2015.

8. The respondent appearing in-person has then referred to page no. 81 of the writ petition to submit that the calculation with respect to entitlement of the respondent was already done and the respondent, only to satisfy himself, got the calculation checked by Dhruv Gupta, the chartered accountant. He has then referred to page no. 82 of the

writ petition to submit that the claim of the workman is Rs. 55,44,601.24 and the break-up has been given in the said document. Page Nos. 81 and 82 are a part of the written statement filed by the respondent-workman in the Reference Case No. 1 of 2021.

9. The respondent in-person has also submitted that the impugned order closing evidence of the management does not call for any interference and this writ petition be dismissed.

Findings of this Court

10. This Court finds that earlier the learned labour court had refused to summon the chartered account with respect to the calculation made by him and was sought to be relied upon by the workman and consequently, the petitioner had filed the writ petition being W.P.(L) No. 122 of 2024 and the said order refusing to summon the chartered accountant was set-aside in the writ petition. The learned court was directed to pass appropriate order to summon the chartered accountant for the purpose of his examination with respect to the calculation said to have been made by him and already produced by the respondent-workman before the learned labour court. Necessary order was also passed to grant at least one month's time to the concerned chartered accountant to appear and the petitioner was to bear the cost of Air travel of the Chartered Accountant from Jaipur to Deoghar and back from Deoghar to Jaipur.

11. Thereafter, the records reveal that the summons were issued to the Chartered Accountant, but in spite of service of summons, he did not appear and then, bailable warrant of arrest was issued to the chartered accountant. When the service report of the bailable warrant of arrest was not forthcoming, a letter was also issued by the learned labour court to the Police Commissioner, Jaipur to send the execution report of the bailable warrant and thereafter, another letter was also issued to the Director General of Police, Rajasthan and Police Commissioner, Jaipur to send the execution report of the bailable warrant of arrest, but neither the service report was received by the learned court nor the said witness was produced before the court for examination. The bailable warrant of arrest was issued on 12.07.2025.

However, the learned labour court, without waiting for the service report of the bailable warrant of arrest, closed the evidence of the management. Subsequently, the prayer for recall of such order was also rejected by citing the same reasons.

12. This Court is of the considered view that once bailable warrant of arrest was issued and letters were also issued seeking the execution report of the bailable warrant of arrest, the learned labour court ought to have waited for the response of the authorities with regard to execution of the bailable warrant of arrest and the learned court ought to have waited for the execution report. Further, if in spite of execution report, the concerned chartered accountant did not appear, then it was certainly for the court to proceed as per law.

13. So far as the arguments of the respondent appearing in-person are concerned, this Court is of the considered view that essentially, his arguments are based on the merits of his case which has to be decided by the learned labour court and there is no requirement of making any pronouncement with respect to entitlement of the respondent-workman by this court at this stage.

14. In view of the aforesaid facts and circumstances, this Court is of the considered view that the impugned orders closing the evidence of the management without waiting for the execution report of the bailable warrant cannot be sustained in the eyes of law. Consequently, the impugned order dated 13.11.2025 and subsequent order dated 18.12.2025 refusing to recall the order dated 13.11.2025, are hereby set-aside.

15. The learned labour court is directed to proceed in accordance with law.

16. After the dictation of the judgment, the respondent workman in person has submitted that the case can be decided even without considering the certificate of the chartered accountant.

17. The workman has also submitted that in the written statement filed by the management, the claim of the workman is not in dispute and therefore, the certificate of chartered accountant may not be required to decide the case in his favour.

18. However, this Court is of the view that there is no such statement on affidavit by the respondent workman and further, if the respondent-workman wants to make such a statement, he can certainly file the required affidavit before the learned labour court. In case such an affidavit is filed by the respondent workman stating that he would not rely upon the document issued by the chartered accountant then the chartered accountant may not be required for cross examination and accordingly, the learned labour court shall consider such affidavit of the workman, if any filed, and then proceed as per law.

19. This writ petition is accordingly disposed of.

20. Pending interlocutory application, if any, is dismissed as not pressed.

21. Let this order be communicated to the learned Labour Court, Deoghar through FAX/email.

(Anubha Rawat Choudhary, J.)

Date of order: 19.03.2026
Date of uploading: 20.03.2026
Pankaj