

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(S) No. 1797 of 2018

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Sanjeev Kumar Choudhary, aged about-38 years, Son of-
 Ram Jivit Choudhary, Resident of-MQ-53, Near Kathara
 Hospital, Colony No.1, Kathara Bodiya, Bokaro, P.O. &
 P.S. Kathara, District-Bokaro. **Petitioner(s)**

-VERSUS-

1. Central Coalfields Limited through its Chairman cum
 Managing Director, Darbhanga House, P.O.-G.P.O., P.S.-
 Kotwali, District-Ranchi.
2. Director (Personal), Central Coalfields Limited,
 Darbhanga House, P.O.-G.P.O., P.S.-Kotwali, District-
 Ranchi.
3. General Manager, (KTA), Govindpur Project, P.O. & P.S.
 Kathara, District-Ramgarh, Central Coalfields Ltd.
4. Project Officer, Govindpur Project, P.O. & P.S. Kathara,
 District-Ramgarh, Central Coalfields Ltd.

..... **Respondent (s)**

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CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioner(s)	: Mr. Prem Pujari Roy, Adv
For the Respondent (s)	: Mr. A.K.Das, Adv
	Mrs. Swati Shalini, Adv

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07/20.04.2026

1. Heard learned counsel for the parties.
2. The instant writ application has been preferred by
 the petitioner for the following reliefs:

(i) For issuance of an appropriate writ(s)/ order (s)/ direction(s) or a writ in nature of certiorari for quashing the appellate order dated 10.09.2013 (Annexure- 6) whereby and where under the order of removal of the petitioner dated 28.05.2013 on the alleged ground of unauthorized absenteeism, has been affirmed, and thereby the petitioner has been removed from service, by not allowing him to join/render his service as a Piece Rated worker (PRW), in the Govindpur Colliery; in the most arbitrary and mechanical manner without considering /appreciating the Medical Reports and

disability condition of the petitioner as he was suffering from Chronicle Mental Diseases known as Psychotic Depression.

AND

(ii) For issuance of an appropriate writ(s)/order (s)/direction(s) or a writ in nature of Mandamus commanding upon the respondents to immediately and forthwith allow the petitioner to render his services as a Piece Rated Worker at Govindpur Colliery in the mode and manner as he was dissipating his duties prior to 10th June 2008 i.e. the date from which he remained absent from duties on account of his mental sickness.

AND.

(iii) For issuance of an appropriate writ(s)/order (s)/direction(s) or a writ in nature of mandamus commanding upon the respondents to immediately and forthwith make payment of his entire arrears of salary excluding the medical Leave Period i.e. with effect from 29.12.2012, till the date on which the petitioner has submitted his joining on being declared medically fit.

3. Learned counsel for the petitioner submits that as the petitioner was suffering from mental illness, he remained absent from duty for more than 400 days. However, when he was allowed by the doctor, in other words when he was fit, he went to give joining before the competent authority, but he was refused to give joining and ultimately the petitioner has been dismissed from service. However, no punishment order has been issued to him as informed by his client.

4. In the instant case, the punishment order has not been assailed; rather, only the appellate order has been challenged by the petitioner. As such, even a relief is given

to the petitioner by quashing or remitting the matter to the appellate authority, no fruitful purpose would be sufficed.

5. During course of hearing, learned counsel for the petitioner submits that his revision is pending before the competent authority. Accordingly, learned counsel submits that the revisional authority should not be prejudiced by the impugned order while considering the case of the petitioner in revision.

6. Learned counsel for the respondent submits that the instant writ application be dismissed on the ground of delay and laches; inasmuch as, after dismissal of his appeal by the appellate authority, the petitioner waited for four years to challenge the same. Moreover, the order of termination has not been assailed in the present case. However, he further submits that if the petitioner wants to wait for the revisional authority, which he claims that the same is pending before the revisional authority he does not have to say much on this but as per his instruction there is no provision of revision under respondent-Company.

7. Having regard to the aforesaid submission, since learned counsel for the petitioner submits that his revision application is pending before the competent authority, it is observed that the said authority shall take a final decision

without being prejudiced by earlier order, if at all, any revision application is pending.

8. With the aforesaid observation, the instant writ application stands disposed of.

(Deepak Roshan, J)

20.04.2026

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Uploaded on
5.5.2026