

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cont. Case (Civil) No. 604 of 2025

CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioner : Mr. Lukesh Kumar, Advocate
For the O.P.-State : Mr. Ranjan Kumar, A.C. to Sr.S.C.-I

06/Dated:- 21.11.2025

1. Order dated 10.10.2025 reads as follows:

"05/10.10.2025 Pursuant to the order dated 29.08.2025, the Deputy Commissioner, Dhanbad-O.P. No. 2 is present before this Court.

2. *The order 29.08.2025 reads as under:*

"Heard learned counsel for the parties.

2. It has been informed by learned counsel for the petitioner that issue with regard to prohibited list was decided in the case of W.P.(C). No. 847 of 2023 (Brinda Devi Agarwal Vs. State of Jharkhand) and taking the same reasoning, this Court passed the order and that the issue has been upheld by the Appellate Court in other cases while dismissing the contention of the State and upholding that the State has no right to make prohibited list.

3. In that view of the matter, since there is no stay order; the opposite parties are directed to comply the Writ Court's order failing which the opposite party No. 2 shall appear before this Court through V.C. on the next date of hearing to explain as to why not a contempt proceeding be initiated against him.

5. List this case on 10.10.2025."

3. *It has been fairly informed by learned counsel for the opposite parties that against the order passed in one case of similar nature the State has filed S.L.P. also before Hon'ble Apex Court; however, so far as this case is concerned, they have preferred L.P.A. He further produced the order dated 24.09.2025 passed by Division Bench of this Court, which clearly indicates that the aforesaid appeal was filed defective and on the said date i.e., 24.09.2025 three weeks' time was granted to remove the defect(s). The reason for giving aforesaid fact is that on the one hand the Division Bench has already decided the issue which was subject matter of the writ application and the State has preferred S.L.P., but this contempt is not to be governed by any other order, save and except the order passed by this Court in the writ.*

4. *Accordingly, by way of last indulgence the order be complied before the next date of hearing or stay order be produced subject to final outcome of Appeal/S.L.P, if any.*

5. *It is made clear that if the opposite parties will not comply the order on the next date of hearing, appropriate order shall be issued against the concerned opposite party.*

6. *List this case on 21.11.2025.*

7. *Personal appearance of Deputy Commissioner, Dhanbad-O.P.No.2 is dispensed with, for the present."*

2. In spite of the aforesaid order, the order has not been complied. The appearance of Deputy Commissioner, Dhanbad-O.P. No.2 was dispensed with on 10.10.2025 but it appears that the personal appearance is still required because in the L.P.A., they have taken three weeks' time to remove the defect. The Order was pronounced on 06.02.2025 and even after a lapse of 8 months; the appeal is not ready before the Division Bench.

3. Accordingly, taking a lenient view by reiterating the previous order i.e., either to place stay order or comply the order in true letter and spirit, failing which, O.P. No.2 shall appear In-person through V.C. before this Court or appropriate order shall be passed in contempt proceeding.

4. List this case on 22.01.2026.

(Deepak Roshan, J.)

November 21, 2025
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