

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cont. Case (Civil) No. 617 of 2026

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Mantu Prasad Nayak Petitioner

Versus

1. The State of Jharkhand
2. Vaikunth Mohan Babu, S/o-Not Known, Project Officer, Swang Washery Kathara Area, Central Coalfield Limited, P.O.-Swang, PS-Gomia, District-Bokaro, Jharkhand Opp. Parties

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Petitioner	: Mr. Vikesh Kumar, Advocate
For the State	: Mr. Saurav Mahto, AC to GP-I
For the O.P. No.2	: Mr. Amit Kr. Das, Sr. Advocate
	: Mr. Abhishek Choudhary, Advocate
	: Mr. Aalok Kumar, Advocate

04/Dated:02nd September, 2026

Heard learned counsel for the parties.

2. Pursuant to the order dated 12.08.2026 passed by this Court, Sri Vaikunth Mohan Babu, Project Officer, Swang Washery Kathara Area, Central Coalfield Limited is present in Court today.

3. It has been submitted by the learned counsel for the petitioner that the order dated 26.08.2025 passed by this Court in W.P.(S) No. 4424 of 2018 has not been complied with.

4. However, Mr. Amit Kumar Das, learned Senior Counsel appearing on behalf of the O. P. No. 2 has submitted that the order dated 26.08.2025 passed by this Court in W.P.(S) No. 4424 of 2018 has been complied with and a reasoned order has been passed on 01.09.2026 by the Project Officer, Swang Colliery and it has been decided that as the writ petitioner, namely, Mantu Prasad Nayak has already superannuated with effect from 25.01.2018 and hence the department has decided not to proceed further against him. However, as he was out of

service from 23.08.2016 to 25.01.2018 and hence the said period has treated as *dies non* and he will not be entitled to any salary for the said period.

5. However, Mr. Amit Kumar Das, learned Senior Counsel has further submitted that legal heirs of the writ petitioner will be entitled to C.M.P.S., C.M.P.F, Gratuity and Leave Encashment as per his entitlement.

6. Learned counsel for the petitioner prays for one week's time to seek instruction.

7. Put up this case on 16.09.2026.

8. Personal appearance of Sri Vaikunth Mohan Babu, Project Officer, Swang Washery Kathara Area, Central Coalfield Limited is dispensed with for the present.

(Sanjay Prasad, J.)

Dated: 02.09.2026
Kamlesh/Shahid