

IN THE HIGH COURT OF JHARKHAND AT RANCHI
F.A. No. 27 of 2014

The State of Jharkhand through the Deputy
Commissioner, Palamau at Daltonganj & Ors.

..... Opposite Parties/Appellants

Versus

Rajmani Tiwari & Ors.

..... Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Appellants : Mr. N.K. Pandey, A.C. to SC(L&C)I

For the Respondents : Mr. Rajiv Ranjan Mishra, Amicus Curiae

20/19.08.2026 Perused the explanation submitted by
Ms. Sushila Soreng, learned Civil Judge (Senior
Division)-I, Civil Court, Palamau at Daltonganj sent
vide Letter No. 385/2026, dated 28.07.2026 in
compliance of the order dated 15.07.2026 passed by
this Court.

2. It has been informed by the learned
Civil Judge (Senior Division)-I, Civil Court, Palamau at
Daltonganj by the said letter dated 28.07.2026 that
neither the Court nor the Office has done any
disobedience in complying the order dated
10.06.2026, passed by this Court and it took some
time in tracing out the original record of the L.A. Case
No. 04 of 2003, for which the court concerned regrets
unconditionally for the inconvenience caused.

3. It appears that the learned Civil Judge
is arrogant emboldened and trying to shield the staff
and the office of the Civil Judge.

4. This Court vide Order dated 10.06.2026
had directed the learned Civil Judge (Senior Division)-
I, Civil Court, Palamau at Daltonganj to search the

Objection dated 06.08.2010 filed by the State and to send scanned copy of the same and the next date fixed in this case was 15.07.2026.

5. It appears from the Office Note that the Office had sent Memo No. 4018 D dated 29.06.2026 to the learned Trial Court communicating the order dated 10.06.2026 passed in F.A. No. 27 of 2014, which is on record.

6. The said case was again taken up on 15.07.2026, however, neither any letter was received from the learned Civil Judge (Senior Division)-I, Civil Court, Palamau at Daltonganj in compliance of the order dated 10.06.2020 nor any communication was made in the meantime seeking extension of time for the said purpose. Therefore, vide order dated 15.07.2026, this Court has called for an explanation from the learned Civil Judge (Sr.Division)-I, Palamau through learned Principal District and Sessions Judge, Palamau for not complying with the order dated 10.06.2026 and the matter has been taken up today, i.e. on 12.08.2026.

7. However, learned Civil Judge (Senior Division)-I, Civil Court, Palamau at Daltonganj, Palamau, vide Letter No. 385/2026, stating therein as follows:-

“(i) That on 02.07.2026 I have received the Memo No. 4018 D dated 29.06.2026 along with the order dated 10.06.2026 passed by this Court in F.A. No. 27 of 2014

through which the Hon'ble High Court was pleased to direct this court to search the Objection dated 06.08.2010 filed by the State in L.A. Case No. 04/2003 and to send the scanned copy of the same to the Hon'ble Court. On the same date the Office Clerk was directed to comply the direction of the Hon'ble Court. On the same day the O/c reported that the L.A. Case No. 4/2003 has been disposed off by the Learned Civil Judge, (Sr.Div) II, at Palamau. Thereafter Memo No. 4018D dated 29.06.2026 was sent to the office of the learned C. J. (Sr.Div.) II, at Palamau.

(ii) *That on 04.07.2026 the Memo No. 4018D dated 26.06.2026 was returned to the office with report that the case has been disposed of by the then P.O. on 19.07.2013 but the O/C put up the said Memo No. on 06.07.2026, and the O/c was again directed to comply the order of the Hon'ble Court but O/c has not complied the same.*

(iii) *That on 22.07.2026 an explanation was called for from the O/c for not complying the order of the Hon'ble Court, to which the O/c has submitted his explanation on 27.07.2026 in which he has submitted that he has searched the record of L.A. Case No. 04/2003 and found that the aforesaid case record was disposed off on 19.07.2013 by this Court but the case record was not found in the disposal list. Further, he submitted that after searching in the register it was found that copy of the entire case record of L.A. Case*

No. 04/2003 was sent to the High Court on 04.02.2021. Further, O/c has submitted that after searching the entire Almirahs in the office thrice as well as entire peon books from 2013 the aforesaid case record could not be traced out.

(iv) That the O/c of the court has also submitted that he also searched the original case record of L.A. Case No. 04/2003 in the disposal lists of all the Civil Judges (Sr.Div.) Palamau in the record room, where it is found that L.A. Case No. 04/2003 is attached with Execution Case No. 22/2013. It is further submitted by the O/c that the Execution Case No.22/2013 was earlier pending in the court of learned Civil Judge (Sr.Div.)-I, which was transferred to the Court of Ld. C.J. (Sr.Div.) VII on 27.05.2022 and it has been disposed of by the Ld. C.J.(Sr.Div.) VII on 08.05.2025 and the record has been deposited in the Record's Room along with the record of L.A. Case No.04/2003. The O/c of the Court has also submitted that since the aforesaid case record was not available in the office and there was no entry anywhere in the registers, so it took much time to search the same.

(v) That as per explanation submitted by the O/c on 27.07.2026 the original case record of L.A. Case No. 04/2003 was called for from the District Record Room, which has been received on 27.07.2026 of which, I am herewith sending the scanned copy of the required Objection dated 06.08.2010 filed by State along with this explanation for not complying the order

dated 10.06.2026 passed by the Hon'ble Court in F.A. No. 27/2014 within the given time. The photocopy of the explanation as well as reports of the O/c about steps taken by him for searching the case record is also hereby annexed."

8. From the Letter No. 385/2026, dated 28.07.2026, it would appear that the learned Civil Judge has tried to justify the delay in compliance of the order casually as if she has obliged the High Court by complying with the order dated 10.06.2026, which is not appreciated by this Court. The conduct of Ms. Sushila Soreng, learned Civil Judge (Senior Division-I), Civil Court, Palamau at Daltonganj amounts to arrogance and her explanation shows defiance of the order of this Court as instead of seeking extension of time within the time allowed by this Court she has merely sent the explanation only to justify the delay in sending her report regarding the compliance of the order. Further, she has not taken the name of the persons/employees of Civil Courts, Palamau, who were responsible for searching the records of L.A. Case No. 04/2003 and Execution Case No. 22/2013.

9. It is further evident from the explanation submitted by Ms. Sushila Soreng, Civil Judge (Senior Division)-I, Civil Court, Palamau at Daltonganj that order dated 10.06.2026, passed in F.A. No. 27 of 2014 by this Court was communicated to her on 02.07.2026 and on the same day the Office

Clerk was directed to comply with the same and it was informed to her that L.A. Case No.4/2003 was disposed of by then P.O. on 19.07.2013 and the Court below again directed the Office to comply with the order of this Court, but the O.C. had not complied the same. Thus, the Court concerned and the Office Clerk were negligent and careless in showing compliance of the order, however, when explanation was called for by order dated 15.07.2026 passed by this Court, then the learned Civil Judge, (Sr. Div.)-I, Civil Courts, Palamau at Daltonganj awoke by calling for explanation on 22.07.2026 from the Office Clerk for not complying with the order of this Court. Thereafter, it was informed to the learned Trial Court by the Office Clerk on 27.07.2026 by stating that the said case record was disposed of on 19.07.2013 by the predecessor of her Court, but the case record was not found in the disposal list.

10. The learned Civil Judge (Sr. Div.)-I, Palamau at Daltonganj has further admitted that Office Clerk had searched the original case record of L.A. Case No.4/2003 in the disposal list of all the Civil Judges (Sr.Division), Palamau in the Record Room and then it was found that L.A. Case No. 4/2003 was attached with the Execution Case No. 22/2013 and the said Execution Case was transferred to the Court of then learned Civil Judge (Sr. Div.)-VII on 27.05.2022 and it was disposed of on 08.05.2025 and

the record was deposited in the Record Room along with the record of L.A. Case No. 04/2003.

11. The Office Clerk has also stated that it took much time to search the case record as the same was not available in the Office or in the Registers. Thereafter, the scanned copy of the required Objection dated 06.08.2010 filed by the State along with this explanation was sent to the Office of First Appeal of the High Court and a copy of this Objection is also attached with this explanation.

12. Thus, the approach and attitude of Ms. Sushila Soreng, Civil Judge (Senior Division)-I, Civil Courts, Palamau at Daltonganj is in complete defiance and disregard of the order passed by this Court on 10.06.2026 and order dated 15.07.2026, which is not appreciated by this Court.

13. It further appears that the record was searched within Five (05) days after she received the explanation on 22.07.2026 after passing of the order dated 15.07.2026 by this Court.

14. It is the duty of the Officer and staffs of the Court concerned, i.e. the Court of Civil Judge (Senior Division-I), Civil Court, Palamau at Daltonganj to promptly comply with the direction with sincerity and diligence, but they failed to do so and by sending her explanation vide letter No.385/2026 dated 28.07.2026, Civil Judge (Senior Division-I), Civil Court, Palamau at Daltonganj has shown defiance to

the order dated 10.06.2026 and 15.07.2026, passed by this Court.

15. However, this Court is surprised to notice that the Officer has stated in her explanation that neither the Court nor the Office had disobeyed the order of this Court. Although the learned Trial Court has regretted unconditionally for the inconvenience, if any, but this Court does not appreciate the approach of Ms. Sushila Soreng, learned Civil Judge (Senior Division)-I, Civil Court, Palamau at Daltonganj, who is a female judicial officer. She should have simply tendered formal explanation for the said delay of one month, but instead of doing so, she has deliberately stated that her Court, i.e. the Court of Civil Judge (Sr.Div.), I, Palamau at Daltonganju and the Office have not done any disobedience in complying the direction of the High Court.

16. It appears that the Trial Court has received the order dated 10.06.2026 on 02.07.2026 and was aware of the listing of the case on 15.07.2026 and the learned Civil Judge (Sr.Div.)-I, Civil Courts, Palamau at Daltonganj should have simply prayed for extension of time through the learned Registrar General or any other concerned Officer of the High Court by letter. However, order of this Court is advisory to Ms. Sushila Soreng, the learned Civil Judge (Sr.Div.) I, Palamau at Daltonganj, as she

should have maintained dignity and decorum while communicating with the officer of High Court and she is cautioned to remain careful in future.

17. It appears that office of the learned Civil Judge is being run by the Bench Clerk and Office Clerk, who do not take their work seriously and hence, learned Principal District & Sessions Judge, Palamau is also directed to call for explanation from the concerned Office Clerk attached with the Court of learned Civil Judge (Senior Division)-I, Civil Courts, Palamau at Daltonganj and other staff found negligent, for their negligence and dereliction of duty and send the report to this Court.

18. Put up this case on 16.09.2026.

19. Let copy of this order be sent to the learned Registrar General and also to the learned Principal District & Sessions Judge, Palamau for the needful.

(Sanjay Prasad, J.)

s.m.
Dated 19.08.2026