

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P(S) No. 2721 of 2011

Bimla Kumari

.....**Petitioner**

Versus

The State of Jharkhand & others

.... **Respondents**

And

W.P. (S) No.2240 of 2017, W.P. (S) No.2710 of 2020, W.P. (S) No.4712 of 2010, W.P. (S) No.906 of 2020, W.P. (S) No.2786 of 2020, W.P. (S) No.4438 of 2020, W.P. (S) No.922 of 2021, W.P. (S) No.2489 of 2021, W.P. (S) No.3429 of 2021, W.P. (S) No.4267 of 2021, W.P. (S) No.4590 of 2021, W.P. (S) No.5137 of 2021, W.P. (S) No.5163 of 2021, W.P. (S) No.5179 of 2021, W.P. (S) No.5198 of 2021, W.P. (S) No.5628 of 2021, W.P. (S) No.141 of 2022, W.P. (S) No.232 of 2022, W.P. (S) No.603 of 2022, W.P. (S) No.1034 of 2022, W.P. (S) No.2462 of 2022, W.P. (S) No.2478 of 2022, W.P. (S) No.2486 of 2022, W.P. (S) No.3386 of 2022, W.P. (S) No.3914 of 2022, W.P. (S) No.4047 of 2022, W.P. (S) No.5003 of 2022, W.P. (S) No.5048 of 2022, W.P. (S) No.5402 of 2022, W.P. (S) No.6286 of 2022, W.P. (S) No.115 of 2023, W.P. (S) No.5825 of 2009 with W.P. (S) No.5927 of 2009, W.P. (S) No.6103 of 2014, W.P. (S) No.2781 of 2017, W.P. (S) No.1285 of 2018 with W.P. (S) No.2755 of 2022, W.P. (S) No.2438 of 2018, W.P. (S) No.4498 of 2018, W.P. (S) No.1889 of 2019, W.P. (S) No.319 of 2020, W.P. (S) No.515 of 2020, W.P. (S) No.1168 of 2021, W.P. (S) No.1673 of 2021, W.P. (S) No.4132 of 2021, W.P. (S) No.4274 of 2021, W.P. (S) No.5678 of 2019, W.P. (S) No.976 of 2021, W.P. (S) No.2474 of 2022, W.P. (S) No.1761 of 2021 with W.P. (S) No.689 of 2023, W.P. (S) No.4240 of 2021, W.P. (S) No.6106 of 2003, W.P. (S) No.1175 of 2007, W.P. (S) No.2070 of 2010, W.P. (S) No.467 of 2011, W.P. (S) No.1397 of 2012, W.P. (S) No.7754 of 2013, W.P. (S) No.661 of 2014, W.P. (S) No.1955 of 2014, W.P. (S) No.3808 of 2014, W.P. (S) No.4806 of 2014 with W.P. (S) No.4684 of 2016 with W.P. (S) No.2249 of 2017, W.P. (S) No.5115 of 2014, W.P. (S) No.5128 of 2014 with W.P. (S) No.2770 of 2020, W.P. (S) No.5661 of 2014, W.P. (S) No.227 of 2015, W.P. (S) No.752 of 2015, W.P. (S) No.986 of 2015, W.P. (S) No.1295 of 2015, W.P. (S) No.1944 of 2015, W.P. (S) No.4031 of 2015, W.P. (S) No.5550 of 2015, W.P. (S) No.5683 of 2015, W.P. (S) No.6139 of 2015 with W.P. (S) No.6819 of 2018, W.P. (S) No.59 of 2016, W.P. (S) No.2354 of 2016, W.P. (S) No.2492 of 2016, W.P. (S) No.2600 of 2016, W.P. (S) No.2701 of 2016, W.P. (S) No.2925 of 2016, W.P. (S) No.3228 of 2016, W.P. (S) No.4251 of 2016, W.P. (S) No.4621 of 2016, W.P. (S) No.4623 of 2016, W.P. (S) No.5566 of 2016, W.P. (S) No.5595 of 2016, W.P. (S) No.6258 of 2016, W.P. (S) No.6403 of 2016 with W.P. (S) No.6405 of 2016, W.P. (S) No.6736 of 2016, W.P. (S) No.6802 of 2016 with W.P. (S) No.6801 of 2016, W.P. (S) No.7186 of 2016, W.P. (S) No.75 of 2017 with W.P. (S) No.64 of 2017, W.P. (S) No.294 of 2017, W.P. (S) No.474 of 2017, W.P. (S) No.515 of 2017, W.P. (S) No.888 of 2017, W.P. (S) No.1120 of 2017, W.P. (S) No.1560 of 2017, W.P. (S) No.1595 of 2017, W.P. (S) No.1840 of 2017, W.P. (S) No.1952 of 2017, W.P. (S) No.2189 of 2017, W.P. (S) No.2206 of 2017, W.P. (S) No.2226 of 2017, W.P. (S) No.2298 of 2017, W.P. (S) No.2391 of 2017, W.P. (S) No.3339 of 2017, W.P. (S) No.3360 of 2017 with W.P. (S) No.3664 of 2021, W.P. (S) No.4200 of 2017, W.P. (S) No.4851 of 2017, W.P. (S) No.4985 of 2017, W.P. (S) No.6757 of 2017, W.P. (S) No.7380 of 2017, W.P. (S) No.7599 of 2017, W.P. (S) No.7603 of 2017, W.P. (S) No.732 of 2018 with W.P. (S) No.2922 of 2018 with W.P. (S) No.5861 of 2018 with W.P. (S) No.5986 of 2018, W.P. (S) No.778 of 2018, W.P. (S) No.938 of 2018, W.P. (S) No.2540 of 2018 with W.P. (S) No.2821 of 2018, W.P. (S) No.2625 of 2018, W.P. (S) No.3979 of 2018, W.P. (S) No.4296 of 2018, W.P. (S) No.4733 of 2018, W.P. (S) No.4839 of 2018, W.P. (S) No.4858 of 2018, W.P. (S) No.5085 of 2018, W.P. (S) No.5217 of 2018, W.P. (S) No.5243 of 2018, W.P. (S) No.5336 of 2018 with W.P. (S) No.5641 of 2017 with W.P. (S) No.864 of 2018 with W.P. (S) No.2492 of 2021, W.P. (S) No.6135 of 2018, W.P. (S) No.6300 of 2018 with W.P. (S) No.4121 of 2021, W.P. (S) No.243 of 2019, W.P. (S) No.550 of 2019 with W.P. (S) No.1846 of 2019, W.P. (S) No.861 of 2019, W.P. (S) No.1017 of 2019 with W.P. (S) No.2861 of 2023, W.P. (S) No.1253 of 2019, W.P. (S)

No.1308 of 2019, W.P. (S) No.1823 of 2019, W.P. (S) No.2018 of 2019, W.P. (S) No.2187 of 2019, W.P. (S) No.2380 of 2019, W.P. (S) No.3177 of 2019, W.P. (S) No.3429 of 2019, W.P. (S) No.3807 of 2019, W.P. (S) No.4109 of 2019, W.P. (S) No.4166 of 2019, W.P. (S) No.4246 of 2019, W.P. (S) No.4625 of 2019, W.P. (S) No.4670 of 2019, W.P. (S) No.4736 of 2019, W.P. (S) No.5558 of 2019, W.P. (S) No.5563 of 2019, W.P. (S) No.7042 of 2019, W.P. (S) No.7370 of 2019, W.P. (S) No.136 of 2020, W.P. (S) No.139 of 2020, W.P. (S) No.171 of 2020, Cont. Case (Civil) No. 247 of 2020 with W.P. (S) No.7417 of 2017 with Cont. Case (Civil) No.382 of 2020 with Cont. Case (Civil) No.394 of 2020 with W.P. (S) No.886 of 2021 with W.P. (S) No.4422 of 2021 with W.P. (S) No.4434 of 2021, W.P. (S) No.1026 of 2020, W.P. (S) No.1201 of 2020, W.P. (S) No.1505 of 2020, W.P. (S) No.1861 of 2020, W.P. (S) No.2205 of 2020, W.P. (S) No.2355 of 2020, W.P. (S) No.2464 of 2020, W.P. (S) No.2875 of 2020, W.P. (S) No.3029 of 2020, W.P. (S) No.3199 of 2020, W.P. (S) No.3851 of 2020, W.P. (S) No.4022 of 2020, W.P. (S) No.4037 of 2020, W.P. (S) No.4058 of 2020, W.P. (S) No.4059 of 2020, W.P. (S) No.4113 of 2020, W.P. (S) No.4366 of 2020 with W.P. (S) No.4686 of 2019, W.P. (S) No.4368 of 2020, W.P. (S) No.4437 of 2020, W.P. (S) No.103 of 2021, W.P. (S) No.159 of 2021, W.P. (S) No.298 of 2021, W.P. (S) No.433 of 2021, W.P. (S) No.491 of 2021, W.P. (S) No.606 of 2021, W.P. (S) No.607 of 2021, W.P. (S) No.648 of 2021, W.P. (S) No.929 of 2021, W.P. (S) No.984 of 2021, W.P. (S) No.1169 of 2021, W.P. (S) No.1237 of 2021 with W.P. (S) No.1267 of 2021, W.P. (S) No.1352 of 2021, W.P. (S) No.1465 of 2021, W.P. (S) No.1677 of 2021, W.P. (S) No.1930 of 2021, W.P. (S) No.1946 of 2021, W.P. (S) No.2031 of 2021, W.P. (S) No.2053 of 2021, W.P. (S) No.2168 of 2021, W.P. (S) No.2195 of 2021, W.P. (S) No.2403 of 2021, W.P. (S) No.2473 of 2021, W.P. (S) No.2616 of 2021, W.P. (S) No.2729 of 2021, W.P. (S) No.2747 of 2021, W.P. (S) No.2940 of 2021, W.P. (S) No.3054 of 2021, W.P. (S) No.3067 of 2021, W.P. (S) No.3096 of 2021 with W.P. (S) No.5035 of 2021, W.P. (S) No.3383 of 2021, W.P. (S) No.3453 of 2021, W.P. (S) No.3604 of 2021, W.P. (S) No.3606 of 2021, W.P. (S) No.3907 of 2021, W.P. (S) No.3939 of 2021, W.P. (S) No.3987 of 2021, W.P. (S) No.4254 of 2021, W.P. (S) No.4300 of 2021, W.P. (S) No.4304 of 2021, W.P. (S) No.4332 of 2021, W.P. (S) No.4363 of 2021, W.P. (S) No.4459 of 2021, W.P. (S) No.4606 of 2021, W.P. (S) No.4679 of 2021, W.P. (S) No.4736 of 2021 with W.P. (S) No.3324 of 2020, W.P. (S) No.4748 of 2021, W.P. (S) No.4955 of 2021, W.P. (S) No.4961 of 2021, W.P. (S) No.5015 of 2021, W.P. (S) No.5016 of 2021, W.P. (S) No.5036 of 2021, W.P. (S) No.5089 of 2021, W.P. (S) No.5102 of 2021, W.P. (S) No.5150 of 2021, W.P. (S) No.5151 of 2021, W.P. (S) No.5223 of 2021, W.P. (S) No.5281 of 2021, W.P. (S) No.5350 of 2021, W.P. (S) No.5401 of 2021, W.P. (S) No.5508 of 2021, W.P. (S) No.5629 of 2021, W.P. (S) No.233 of 2022, W.P. (S) No.243 of 2022, W.P. (S) No.358 of 2022, W.P. (S) No.417 of 2022, W.P. (S) No.481 of 2022, W.P. (S) No.487 of 2022, W.P. (S) No.735 of 2022, W.P. (S) No.750 of 2022, W.P. (S) No.763 of 2022, W.P. (S) No.886 of 2022, W.P. (S) No.934 of 2022, W.P. (S) No.1106 of 2022, W.P. (S) No.1181 of 2022, W.P. (S) No.1348 of 2022, W.P. (S) No.1356 of 2022, W.P. (S) No.1358 of 2022, W.P. (S) No.1415 of 2022, W.P. (S) No.1424 of 2022, W.P. (S) No.1508 of 2022, W.P. (S) No.1732 of 2022, W.P. (S) No.1797 of 2022, W.P. (S) No.1801 of 2022, W.P. (S) No.1930 of 2022 with W.P. (S) No.3791 of 2018, W.P. (S) No.1933 of 2022, W.P. (S) No.2034 of 2022, W.P. (S) No.2163 of 2022, W.P. (S) No.2304 of 2022, W.P. (S) No.2349 of 2022, W.P. (S) No.2383 of 2022, W.P. (S) No.2424 of 2022, W.P. (S) No.2470 of 2022, W.P. (S) No.2472 of 2022, W.P. (S) No.2565 of 2022, W.P. (S) No.2604 of 2022, W.P. (S) No.2623 of 2022, W.P. (S) No.2643 of 2022, W.P. (S) No.2673 of 2022, W.P. (S) No.2676 of 2022, W.P. (S) No.2679 of 2022, W.P. (S) No.2840 of 2022, W.P. (S) No.2879 of 2022, W.P. (S) No.3041 of 2022, W.P. (S) No.3122 of 2022, W.P. (S) No.3151 of 2022, W.P. (S) No.3222 of 2022, W.P. (S) No.3224 of 2022, W.P. (S) No.3247 of 2022, W.P. (S) No.3301 of 2022, W.P. (S) No.3328 of 2022, W.P. (S) No.3356 of 2022, W.P. (S) No.3408 of 2022, W.P. (S) No.3612 of 2022, W.P. (S) No.3770 of 2022, W.P. (S) No.3786 of 2022, W.P. (S) No.3904 of 2022, W.P. (S) No.3928 of 2022, W.P. (S) No.3929 of 2022, W.P. (S) No.4006 of 2022, W.P. (S) No.4010 of 2022, W.P. (S) No.4011 of 2022, W.P. (S) No.4219 of 2022, W.P. (S) No.4241 of 2022, W.P. (S) No.4436 of 2022, W.P. (S) No.4512 of 2022, W.P. (S) No.4738 of 2022, W.P. (S) No.4825 of 2022, W.P. (S) No.4838 of 2022, W.P. (S) No.5017 of 2022, W.P. (S) No.5141 of 2022, W.P. (S) No.5187 of 2022 with W.P. (S) No.725 of 2023 with W.P. (S) No.1255 of 2023, W.P. (S) No.5399 of 2022, W.P. (S) No.5469 of 2022, W.P. (S)

No.5471 of 2022, W.P. (S) No.5649 of 2022, W.P. (S) No.6226 of 2022, W.P. (S) No.6232 of 2022, W.P. (S) No.1901 of 2023, W.P. (S) No.1940 of 2023, W.P. (S) No.1981 of 2023, W.P. (S) No.3198 of 2023, W.P. (S) No.4473 of 2023, W.P. (S) No.100 of 2016 with W.P. (S) No.642 of 2018, W.P. (S) No.5598 of 2008, W.P. (S) No.1938 of 2009, W.P. (S) No.4415 of 2010, W.P. (S) No.4918 of 2010 with W.P. (S) No.3268 of 2014 with W.P. (S) No.3666 of 2014 with W.P. (S) No.4020 of 2014, W.P. (S) No.3670 of 2011, W.P. (S) No.5280 of 2011 with W.P. (S) No.5411 of 2011, W.P. (S) No.6883 of 2011, W.P. (S) No.6896 of 2011, W.P. (S) No.1431 of 2012, W.P. (S) No.2562 of 2012, W.P. (S) No.3113 of 2012, W.P. (S) No.3319 of 2012 with W.P. (S) No.4168 of 2012, W.P. (S) No.3507 of 2012, W.P. (S) No.439 of 2013, W.P. (S) No.4897 of 2013, W.P. (S) No.590 of 2014, W.P. (S) No.975 of 2014 with W.P. (S) No.1307 of 2012, W.P. (S) No.2944 of 2014, W.P. (S) No.5478 of 2014, W.P. (S) No.5810 of 2014, W.P. (S) No.278 of 2015, W.P. (S) No.5395 of 2015, W.P. (S) No.194 of 2016, W.P. (S) No.1913 of 2016, W.P. (S) No.3028 of 2016, W.P. (S) No.3784 of 2016, W.P. (S) No.4576 of 2016, W.P. (S) No.6020 of 2016, W.P. (S) No.884 of 2017, W.P. (S) No.2025 of 2017, W.P. (S) No.2694 of 2018, W.P. (S) No.4057 of 2018, W.P. (S) No.4218 of 2018, W.P. (S) No.5747 of 2018 with W.P. (S) No.5659 of 2018 with W.P. (S) No.5667 of 2018 with W.P. (S) No.5669 of 2018 with W.P. (S) No.5733 of 2018 with W.P. (S) No.6501 of 2018 with W.P. (S) No.286 of 2019 with W.P. (S) No.575 of 2019 with W.P. (S) No.947 of 2019 with W.P. (S) No.1025 of 2019 with W.P. (S) No.2209 of 2019 with W.P. (S) No.3107 of 2019 with W.P. (S) No.3919 of 2019 with W.P. (S) No.4230 of 2019 with W.P. (S) No.4486 of 2019 with W.P. (S) No.4602 of 2019 with W.P. (S) No.4612 of 2019 with W.P. (S) No.5063 of 2019 with W.P. (S) No.5410 of 2019 with W.P. (S) No.6541 of 2019, W.P. (S) No.1370 of 2019, W.P. (S) No.77 of 2020 with W.P. (S) No.1875 of 2020 with W.P. (S) No.3453 of 2020, W.P. (S) No.290 of 2020 with W.P. (S) No.6884 of 2019 with W.P. (S) No.6888 of 2019 with W.P. (S) No.291 of 2020 with W.P. (S) No.293 of 2020 with W.P. (S) No.507 of 2020 with W.P. (S) No.831 of 2020, W.P. (S) No.571 of 2021, W.P. (S) No.1725 of 2021, W.P. (S) No.5190 of 2022 and W.P. (S) No.2905 of 2010.

CORAM: HON'BLE THE ACTING CHIEF JUSTICE

Dated: 5th March 2024

This Court has examined the stand taken by the respondents in some of the matters and come to a conclusion that the stand taken by the respondents is plainly frivolous.

2. Notwithstanding the order passed by this Court particularly on 23rd February 2024 indicating the incidents of misconduct or disability on the ground of which pension payable to an employee can be withheld, no positive response is coming forth from the respondents.

3. As indicated in the order dated 23rd February 2024, the respondents shall be deemed to have taken the risk of paying cost and interest on delayed payment of pension if the writ petition stands allowed.

4. This is also indicated that in appropriate cases where it is found that pension/family pension to the employee or his surviving wife has not been paid on account of non-availability of service records, no

dues certificate or any reason of similar nature, the Departmental Head shall be directed to remain physically present in the Court to answer the charge why a contempt proceeding should not be initiated against him.

5. Post these matters after two weeks as per convenience of the jurisdictional Bench.

(Shree Chandrashekhar, A.C.J)

Sudhir/Tanuj