

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cont. Case (Civil) No. 498 of 2023

Surendra Kumar Sinha

....**Petitioner**

Versus

The State of Jharkhand and Ors.

....**Opp. Parties**

CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioner : Mr. Saurabh Shekhar, Advocate

For the Opp. Parties : Mr. Suraj Prakash, A.C. to S.C.-VII

16/Dated:- 28.11.2025

1. From record it appears that the writ petition being *W.P. (S) No. 199 of 2011* was allowed on 08.02.2021 with the following direction:

"7. Consequently, the impugned order in appeal as contained in Memo No.2857 dated 08.08.2009 and also the order of punishment dated 17.10.2006 are, hereby, quashed and set aside. The matter is remitted back to the Disciplinary Authority to pass a fresh order, after seeking explanation from the petitioner and after giving reasons to differ with the report of the Inquiry Officer, within a period of four months from the date of receipt/production of copy of this order; failing which the petitioner shall be entitled for all consequential benefits which has been denied to this petitioner pursuant to the impugned order of punishment.

It is made clear that the petitioner shall fully cooperate with the Disciplinary Authority and will be at liberty to take all grounds which he has taken in this writ application."

2. Learned counsel for the petitioner submits that on the one hand, they have not complied the order by not giving any consequential benefit and on the other hand, in the month of August, 2024 i.e., after a lapse of almost three years from the date of order, they have again reiterated the order of punishment; whereas there was a specific direction that the matter was remitted to the Disciplinary Authority to pass the order within a period of four months from the date of receipt/production of the order and also there was a stipulation that failing which the petitioner shall be entitled for all consequential benefits;

accordingly, the State has committed contempt in this case.

3. Learned counsel for the opposite parties when put to query as to whether any review or modification petition was filed pursuant to the order passed by the writ Court in *W.P. (S) No. 199 of 2011*, he fairly submits that no review or modification petition was filed, rather the proceeding was continuing with the authorities.

4. Having regard to the above, when the order dated 08.02.2021 has attained its finality, the respondents are precluded to pass an order beyond the stipulated period of four months; accordingly, the State respondents are directed to pay all the consequential benefits to the petitioner before the next date of hearing.

5. List this case on 20.01.2026.

(Deepak Roshan, J.)

November 28, 2025
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02/12/2025