

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(S) No. 3345 of 2022

Dilip Kumar, aged about 53 Years, son of Late Awinash Saw, resident of Sounda Basti, P.O.-Sounda-D, P.S.-Bhurkunda, District-Ramgarh.

... ... Petitioner(s)

Versus

1. Central Coalfields Limited; a subsidiary of Coal India Limited, a Government of India Undertaking, having its registered Office at Darbhanga House, Ranchi, P.O.-Ranchi, P.S.-Kotwali, District- Ranchi through its Chairman-cum- Managing Director.

2. Director (Personnel), Central Coalfields Limited; Darbhanga House, Ranchi, P.O.-Ranchi, P.S.-Kotwali, District- Ranchi.

3. General Manager, Barka Sayal Area, Central Coalfields Limited, P.O.-Bhurkunda, P.S. Barka Sayal, District-Ramgarh;

4. Project Officer, Sounda -D Colliery, Central Coalfields Limited, P.O.-Sounda, P.S.-Burkunda, District-Ramgarh

... ... Respondent(s)

CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioner(s) : Mr. A. K. Sahani, Advocate

For the Respondent(s) : Ms. Swati Shalini, Advocate

Order No. 18 /Dated: 7th April 2026

The instant writ application has been preferred by the petitioner for the following reliefs:

“1. That, by means of this writ application, the Petitioner prays for issuance of a writ in the nature of Certiorari or any other appropriate Writ/order for quashing the Impugned office order No: 233 dated 23/24.03.2022 (Annexure-6) whereby and whereunder the Petitioner has been dismissed from service; AND further for issuance of a writ in the nature of Mandamus commanding upon the respondents reinstate the Petitioner in his service with full wages and all service benefits and in the alternative, to consider and to pass a reasoned order on the appeal filed by the Petitioner (Annexure-7) pending before the respondent No:2 that too within a specified period: AND/OR for issuance of any such Writ(s)/Order(s)/Direction(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and for doing conscionable justice to the petitioner.”

2. At the outset, learned counsel for the petitioner submits that on the one hand, the petitioner has been dismissed from service in departmental proceeding and on the other hand, he was convicted in a criminal case;

appeal of which is pending before this Court, as such, he may be permitted to withdraw the instant writ application with a liberty that if the appeal goes in favour of the petitioner; he may approach the concerned respondent to revisit with the impugned order (Annexures-6 to the writ application and Annexure-8 to I.A No. 8145 of 2022).

3. Learned counsel for the respondents opposes the prayer of the petitioner in view of the fact that the issue in criminal appeal and civil proceeding is not one. He further submits that in the departmental proceeding, punishment is imposed on preponderance of probability and not beyond reasonable doubt; however, if the petitioner wishes to withdraw this writ application awaiting the decision in criminal appeal, he may do so.

4. Having regard to the aforesaid facts and circumstances of the case, the instant writ application is dismissed as withdrawn with the liberty as prayed for.

5. Pending I. As, if any, also stand disposed of.

(Deepak Roshan, J.)

7th April 2026

Amit

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