

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cont. Case (Civil) No.1438 of 2025

Their workmen represented by Bihar Colliery Kamgar
Union through its Secretary Petitioner
Versus

The State of Jharkhand & Anr. Opp. Parties

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**CORAM: HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD
HON'BLE MR. JUSTICE ARUN KUMAR RAI**

For the Petitioner : Mr. Nand Kishore Pd. Sinha, Advocate
: Md. Salahuddin Ansari, Advocate
For the State : Mr. Manish Mishra, G.P.-V
For the BCCL : Mr. Anoop Kumar Mehta, Advocate
: Mr. Pratyush, Advocate
: Mr. Praveen Tirkey, Advocate

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Order No.05/dated 15.12.2025

It is a case where, proceeding for contempt has been sought to be initiated for alleged, wilful and deliberate non-compliance of the order dated 15.05.2025 passed by this Court in L.P.A.No.406 of 2020.

2. It has been contended that the Award passed in the Reference Case No. 97 of 1995 dated 08.06.2000 wherein the following direction was passed:

"That the demand of the union for regularisation of Shri Naresh Paswan and 74 other persons is justified. They are treated to be regularised in services from the date of reference i.e. 22.08.1995 as Category-I General Mazdoors, but they will not be entitled to claim back wages. However, they shall be entitled to wages of Category-I General Mazdoors as per NCWA applicable at present from the date of publication of the award. The management must regularise them within 30(thirty) days from the date of publication of the award and if they failed to regularise them within 30 days or even within six months from the date of publication of the award then the concerned persons shall be entitled to claim wages payable to General Mazdoor Category-I with 12 ½ interest also."

3. Although it has been quashed and set aside by the Judgment passed by the learned writ court vide order dated

03.09.2019 passed in C.W.J.C. No. 378 of 2001. But the said order has been quashed vide order dated 15th May, 2023 passed in L.P.A.No. 406 of 2020.

4. It has been contended that the moment Division Bench of this Court has quashed and set aside the order passed by the learned Single Judge, the Award dated 8th June, 2000 passed in Reference Case No. 97 of 1995 has revived. Further the said Award has also been said to be merged with the order passed by the Division Bench of this Court dated 15th May, 2023.

5. It has further been contended that the order dated 15th May, 2023 passed in L.P.A.No. 406 of 2020 against which the Special Leave Petition was filed has also been dismissed vide order dated 05.08.2024 passed in Special Leave Petition (Civil) Diary No (s). 46984/2023. But still the order has not been complied with even after lapse of 30 years from the date of Reference.

6. Mr. A.K.Mehta, learned Counsel waives notice on behalf of the O.P.No.2 and has sought for three weeks' time to file compliance affidavit.

7. The matter is being posted on 12.01.2026 as prayed for by Mr. A.K.Mehta, learned Counsel.

(Sujit Narayan Prasad, J.)

(Arun Kumar Rai, J.)

15th December, 2025
P.K.S./Suman-