

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, Suresh Prasad Gupta, District Dhanbad, Jharkhand

..... Petitioner

Versus

1.The State of Jharkhand
2.Mr. Sanjiv Kumar Kashayap, Employer in relation to the Management, North Tisra Colliery of M/s Bharat Coking Coal Limited, District Dhanbad

..... Opp.Parties

CORAM:HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD
HON'BLE MR. JUSTICE SANJAY PRASAD

For the Petitioner : Mr. Nand Kishore Prasad Sinha, Advocate
For the Respondents : Mr. Amit Sharma, Advocate

09/17.04.2026 The order dated 15.05.2023, passed in L.P.A. No. 406 of 2020, for non-compliance of which this contempt application has been filed, has still not been complied with on one pretext or the other.

2. The order dated 15.05.2023 was passed in L.P.A. No.406 of 2020 by the Court quashing the order/judgment dated 03.09.2019 passed by the learned Single Judge of this Court in C.W.J.C. No. 378 of 2001. The said writ petition was filed by the Management of B.C.C.L. challenging the Award dated 08.06.2000 passed in Ref. Case No. 97 of 1995 and the Hon'ble Single Judge has quashed the said Award vide order/judgment dated 03.09.2019 passed in C.W.J.C. No. 378 of 2001.

3. Learned counsel for the petitioner has submitted that the whole purpose and the aim of the Management is to frustrate the direction given in the

impugned Award dated 08.06.2000 passed in Ref. Case No. 97 of 1995.

4. It appears that the issue of identification of one or the other member of the Union is being created as per the show-cause filed on behalf of the opposite parties.

5. We have gone through the show-cause and found that only Two workmen have been found to be genuine as per the show-cause filed by the opposite party, wherein it has been stated that either there is dispute of age with respect to some of the workmen or they have lowered their age and the assessment process is underway.

6. The response to the said show-cause has been filed, wherein it has been stated by learned counsel for the petitioner that in order to dispel the doubt which is now being created by the Management the substantial documentary proof has been submitted, by way of Identity Cards, which have been issued by the Respondent itself and that C.M.P.F. numbers have also been allotted to the workmen as C.M.P.F. deductions have been made. It is submitted that any document issued by the C.M.P.F. cannot be doubted by the B.C.C.L. and the Identity Cards, being issued by the respondent itself, has to be relied upon.

7. It appears from the record that some of the workmen have already died.

8. This court has found from the record that the subject matter of this contempt case is order dated 15.05.2023, passed in L.P.A. No. 406 of 2020, due to non-compliance of which the Award passed in the Ref. Case

No. 97 of 1995 is still to be enforced even after lapse of more than 31 years since filing of the Reference.

9. Under the circumstances, this Court is granting further two weeks' time to comply with the order dated 15.05.2023, passed in L.P.A. No. 406 of 2020, failing which this Court will issue Notice under Rule 393 of Jharkhand High Court Rules to the concerned parties.

10. Put up this case on 04.05.2026.

(Sujit Narayan Prasad, J.)

(Sanjay Prasad, J.)

s.m.
Dated 17.04.2026