

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**W.P(S) No. 4111 of 2022**

Biren Pramanik

..... Petitioner(s).

Versus

State of Jharkhand & Ors.

..... Respondent(s)

**CORAM : HON'BLE MR. JUSTICE ANANDA SEN.**

-----  
For the Petitioner(s) : Mr. Amit Kr. Tiwari, Advocate  
For the State : Mr. Soumya S. Pandey, AC to AAG-I.

4/15.12.2022

Counsel for the petitioner submits that without initiation of a proper Departmental enquiry and without examining any witnesses, solely on the basis of some preliminary inquiry the petitioner has been punished. He submits that report of the Enquiry Officer is based on a Preliminary Inquiry report which cannot be a ground to punish this petitioner in the Departmental proceeding. He relied upon the judgment of the Hon'ble Supreme Court in the case of ***Kuldeep Singh Vrs. Commissioner of Police & Ors.*** reported in ***AIR 1999 SC 677*** where it has been held that a preliminary Enquiry report cannot be a basis of a punishment in a Departmental proceeding.

Counsel for the respondent is directed to file counter-affidavit within six weeks.

**(ANANDA SEN , J)**