

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(S). No. 4111 of 2022

Biren Pramanik, aged about 55 years, son of late Dhananjay Pramanik, resident of Village & P.O. Buruhatu, P.S. Ichagarh, District Saraikella-Kharsawan, presently posted as Bhu-Mapak/Amin, Special Land Acquisition Officer No. 1, Swarnrekha, Office: Mango, P.O. & P.S. Mango, Dist. East Singhbhum at Jamshedpur.

..... **Petitioner**

Versus

1. The State of Jharkhand, through Secretary. Water Resources Department, At: Nepal House, P.O. & P.S.: Doranda, District: Ranchi.
2. The Director, Land Acquisition & Rehabilitation, Subarnrekha Multipurpose Project, Adityapur, P.O. & P.S.: Adityapur, Jamshedpur, District: East Singhbhum.
3. The Administrator, Subarnrekha Multipurpose Project, Adityapur, P.O. & P.S.: Adityapur. Jamshedpur, District: East Singhbhum.
4. The Additional Director, Land Acquisition & Rehabilitation, Subarnrekha Multipurpose Project, Adityapur, P.O. & P.S.: Adityapur, Jamshedpur, District: East Singhbhum.

..... **Respondents**

CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioner : Mr. Amit Kr. Tiwari, Advocate
For the Respondents : Mr. Binit Chandra, AC to AAG-III

11/08.04.2026

The instant application has been preferred by the petitioner praying therein for quashing the order dated 16.03.2022 (Annexure-15), issued by the Under Secretary to the Government, Water Resources Department, whereby a major punishment has been imposed to the effect of stoppage of 5 annual increments of the petitioner with cumulative effect.

2. Learned counsel for the petitioner submits that initially there was an internal enquiry which has been said to be confidential, wherein the petitioner was not even asked a single question and a report was submitted by the then Officer, who conducted the confidential enquiry. Thereafter, a so-called departmental proceeding was initiated, however, no charge-sheet was ever served to the petitioner and finally an order dated 16.03.2022

(Annexure-15) has been passed, whereby there was an order for stoppage of 5 annual increments with cumulative effect.

3. Learned counsel for the petitioner amongst other ground contented that the entire proceeding is vitiated due to procedural irregularities. Neither any charge-sheet has been issued; nor any witness was examined and all of a sudden, the order dated 16.03.2022 has been issued. Accordingly, the impugned order be quashed and set aside and the respondents be directed that if they wish to proceed in the matter, they should proceed in accordance with the settled principles of natural justice.
4. In opposition to the aforesaid arguments, Mr. Binit Chandra, learned counsel for the respondents draws attention of the Court towards impugned order and submits that *Prapatra-Ka* was issued to the petitioner, which is apparent from the 1st para of the impugned order. However, he is unable to point-out as to whether any witness was examined or not. He further pointed-out the so-called enquiry report which is at page-64 of the writ application.
5. Having heard learned counsel for the parties and after going through the record and also the impugned order, it does not transpire that a proper departmental proceeding was conducted, inasmuch as, though a counter-affidavit has been filed but there is no document to demonstrate that the procedure of departmental proceeding was complied with. The stand of the respondents by pointing-out page-64 that this may be considered as enquiry report but as aforesaid, from a bare perusal of the said document, it appears that it is an analytical opinion based on the reply to the show-cause given by the petitioner.
6. Thus, this Court is of the considered view that proper procedure has not been adopted in the departmental proceeding and on this score alone, the impugned order requires interference.
7. Accordingly, the instant writ application is allowed and the impugned order dated 16.03.2022 (Annexure-15) is quashed and set aside. However, the respondents are at liberty to initiate a

proper departmental proceeding strictly in accordance with the rules and regulations and following the principle of natural justice, if so advised.

8. It is made clear that if the department chooses to proceed for a fresh departmental proceeding, then they must complete it within a period four months; failing which the petitioner would be entitled for all the benefits which has been stopped due to the impugned order, which has already been quashed herein above.
9. Pending I.As., if any, also stands closed.

(Deepak Roshan, J.)

8th April, 2026

Kunal/-

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