

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

**W.P.(L) No.5212 of 2021**

**With**

**I.A. No. 9184 of 2022**

M/s V-2 Retail ... .. **Petitioner**

Versus

The State of Jharkhand and Ors.

... .. **Respondents**

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**CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY**

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**06/07.07.2023**

Learned counsel for the petitioner Mr. Amit Kumar along with Mr. Ajay Kumar, Advocate, are present.

2. Learned counsel for the respondents Ms. Priti Priyamvada is also present.

3. Learned counsel for the petitioner submits that the impugned order has been passed during the COVID period. He has also submitted that notices were also served during the COVID period and ultimately, the petitioner could not appear before the learned authority and file his response and produce documents in support his case.

4. Learned counsel for the respondents has submitted that the persons who are ultimately affected i.e. the workmen, are not a party in the present proceedings.

5. To this, learned counsel for the petitioner has submitted that he shall file an appropriate application to make them as party respondent in the present case. He has further submitted that he has filed an interlocutory application being I.A. No. 9184 of 2022 before this Court seeking stay of the impugned order, in as much as, a certificate proceeding has been initiated against the petitioner and an order of attachment has also been passed. The certificate proceedings has been initiated pursuant to the impugned order. The certificate case is Certificate Case No. 6/HISE/2021-22.

6. The learned counsel for the respondent- State has submitted that a counter-affidavit has been filed in the present case stating that the proceeding was initiated way back in the year 2016, but it is not in dispute that the last notice was issued to the petitioner only during the COVID period and when the petitioner did not participate in the proceedings, the impugned order has been passed.

7. Learned counsel for the respondents is directed to produce a photocopy of the records in connection with the impugned order on the next date of hearing.
8. Post this case on 26.07.2023.
9. In the meantime, the learned counsel for the petitioner shall file the appropriate interlocutory application for impleading the concerned workmen as party in the present proceedings.
10. Office is directed to immediately list the interlocutory application as and when it is filed so that notice be issued seeking appearance of the private parties prior to the next date of listing.
11. The implementation, operation and the execution of the impugned order is stayed till 26.07.2023.

**(Anubha Rawat Choudhary, J.)**