

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cont. Case (Civil) No.163 of 2025

1. Congress Mohli, aged about 61 years, Son of Late Manbharan Mohli, Resident of Khatiasari, P.O. Satpahari, P.S.- Dumka, District- Dumka, Jharkhand,
2. Saorj Kumar, aged about 53 years, son of Late Awadh Bihari Mandal, Resident of Castairs Town, P.O.-B. Deoghar, P.S.-Deoghar, District- Deoghar, Jharkhand,
3. Sushil Kumar Soren, aged about 53 years, Son of Manishal M. Soren, Resident of – Kushbedia, P.O- Siktia, P.S.- Jama, District- Dumka, Jharkhand,
4. Sushil Marandi, aged about 54 years, Son of Late Khara Marandi, Resident of Fuljhari, P.O.-Siktia, P.S.-Jama District- Dumka, Jharkhand,
5. Karnika Kumari, aged about 61 years, Wife of Parmanand Yadav, Resident of Parpahara, P.O.- Roundhiya, P.S.-Saraiyahat, District-Dumka, Jharkhand,
6. Raj Kumari, aged about 56 years, Daughter of Sikander Prasad Sah, Resident of Hansdiha, P.O. & P.S.-Hansdiha, District-Dumka, Jharkhand.
7. Sunaiyana Devi, aged about 61 years, Daughter of Nageshwar Prasad Yadav, Resident of Saraiyahat, P.O. & P.S.- Saraiyahat, District- Dumka, Jharkhand,
8. Santosh Kumar Hembrom, aged about 53 years, Son of Matal Hembrom, Resident of Rajapathar, P.O.-Bouria, P.S.- Ramgarh, District- Dumka, Jharkhand,
9. Pradeep Kumar Mandal, aged about 56 years, Son of Matal Hembrom, Resident of Jarmundi, P.O. & P.S.- Jarmundi, District- Dumka, Jharkhand,
10. Abner Murmu, aged about 54 years, Son of Bhado Murmu, Resident of Sagbehri, P.O.- Ghasipur, P.S.-Dumka Mufassil, District-Dumka, Jharkhand

... .. Petitioners

Versus

1. The State of Jharkhand,
2. Shri Lalbiaktluanga Khiangte, Fathers' name not known to the petitioners, the Chief Secretary, Government of Jharkhand, At- Project Building, P.O. & P.S.- Dhurwa, District- Ranchi, Jharkhand,
3. Shri Uma Shankar Singh, Fathers' name not known to the petitioners, The Secretary, Human Resource Development Department (Now renamed as School Education and Literacy Department), Government of Jharkhand, At- Project Building, P.O. & P.S.-Dhurwa, District- Ranchi, Jharkhand,
4. Shri Praveen Kumar Toppo, Fathers' name not known to the petitioners, The Secretary, Department of Personnel, Administrative Reforms and Rajbhasa, Government of Jharkhand, At- Project Building, P.O. & P.S.- Dhurwa, District- Ranchi, Jharkhand,
5. Shri Shashi Prakash Singh, Fathers' name not known to the petitioners, The Director, Primary Education, Government of Jharkhand, At- Project Building, P.O. & P.S.-Dhurwa, District- Ranchi, Jharkhand,
6. Shri Anjaneyulu Dodde, Fathers' Name not known to the petitioner, The Deputy Commissioner-Secretary, District Education Establishment Committee, At- Samaharnayal Bhwan, P.O. & P.S.-Dumka, District- Dumka, Jharkhand,

7. Smt. Snehlata Toppono, Fathers' name not known to the petitioners, The Deputy Director, Regional Education North Chotanagapur Division (Santhal Pargana Division), P.O. & P.S.- Dumka, District- Dumka, Jharkhand,
8. Shri Ashish Kumar Hembrom, Fathers' name not known to the petitioners, The District Superintendent of Education-cum-Sub Divisional Education Officer, Jila Parishad Bhawan, P.O. & P.S.- Dumka, Jharkhand
... .. Respondents

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

For the Petitioners	: Mr. Binod Kumar, Advocate
For the State	: Mr. Amrit Raj Kisku, AC to GA-V

Order No.10 /Dated 16th March, 2026

1. This Contempt Case has been filed for non- compliance of the order dated 07.06.2022 passed in W. P (S) No. 5258 of 2017 on behalf of the opposite parties.
2. A show cause has been filed inter alia stating that save and except the petitioner no. 1 in the present contempt case, other persons have been granted promotion. The reason for non-consideration to grant promotion to the petitioner no.1 as has been shown in the said show cause is that while discharging the duties, he has got higher qualification without any permission, which has been taken as a ground for disqualifying him for grant of promotion.
3. However, the learned counsel appearing on behalf of the petitioners has submitted by filing rejoinder to the show cause that there is no requirement to get any permission from the employer for taking Higher Education.
4. This Court has heard learned counsel for the parties.
5. This Court is of the view that since the order dated 07.06.2022 has substantially been complied with, leaving, with specific reason, denial of promotion in favour of the petitioner no. 1, namely, Congress Mohli, rest of the petitioners have been granted promotion to the higher post.

6. The ground as has been shown in the show cause is that the petitioner no. 1, namely, Congress Mohli has got the higher qualification without any permission of the employer. However, learned counsel appearing for the petitioners has tried to make out a case for grant of promotion to be given in favour of the petitioner no. 1, namely, Congress Mohli, but this Court, since, is in the jurisdiction of the Contempt of Courts Act, 1971 and, as such, being conscious of the fact that there cannot be any further direction by holding the decision so taken by the opposite parties concerned in denial of the promotion of the petitioner no. 1, namely, Congress Mohli, rather the same can be agitated by the concerned employee, i.e, the petitioner no. 1, namely, Congress Mohli by filing appropriate application before the appropriate Forum.

7. Accordingly, this contempt case is disposed of, however, with liberty to the petitioner no. 1, namely, Congress Mohli, if he so wishes, he may approach before the appropriate forum on the issue of denial of promotion on the higher post.

8. Accordingly, the contempt Case (Civil) No.163 of 2025 stands disposed of.

(Sujit Narayan Prasad, J.)

(Sanjay Prasad, J.)

Date : 16th March, 2026
Kamlesh/ Nishant/-