

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(S) No. 6404 of 2018

- 1) Elizabeth Hembrom, wife of late Kiran Soren, age 48 years
 - 2) Pritijaya Soren, age about 23 years, Daughter of late Kiran Soren
 - 3) Priyanka Beli Soren, age about 22 years, Daughter of late Kiran Soren
 - 4) Sweety Soren, age about 20 years, Daughter of late Kiran Soren
- All residents of Gram-Het Murgathali, PO-Teliyachock, PS-Mufassil
Dumka, Dumka, Jharkhand-814101
- Petitioner(s)**

Versus

1. The State of Jharkhand
 2. Secretary/Principal Secretary, Department of Home, having office at Project Building, Dhurwa, PO & PS-Durwa, District-Ranchi
 3. Deputy Inspector General of Police, Santhal Pargana, Dumka, having office at PO & PS-Dumka, Dist Dumka
 4. Superintendent of Police, Deoghar, having office at PO & PS-Deoghar, Dist-Deoghar
 5. Sargeant Major, Deoghar, having office at Police Line/S.P. Office, Deoghar
- Respondent(s)**

CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioner(s)	: Mr. Faisal Allam, Advocate Ms. Sushmita Kumari, Advocate Ms. Asfia Sultana, Advocate
For the Respondent(s)	: Mr. Divyam, AC to SC-IV

Order No. 12 /Dated: 19th January 2026

The instant writ application was initially preferred by one Kiran Soren who died during pendency of this writ application and her legal heirs have been substituted at her place who are now contesting the case.

2. This writ application was filed for quashing and setting aside the entire Departmental Proceeding No. 40 of 2008 and also the subsequent order of punishment dated 10.01.2010 whereby the original petitioner was dismissed from service.

The original petitioner has further challenged the decision contained in Letter No. 2493/Go dated 24.06.2009 whereby the petitioner

was informed that he was suspended with immediate effect and also the appellate order dated 26.04.2015 which has also rejected his claim.

3. After going through the records, it appears that the memo of appeal filed by the original petitioner was received on 01.04.2010 and the same was dismissed on 26.04.2015 on the ground that as per Rule 852(ka) of the Jharkhand Police Manual the aggrieved person has to file an appeal within a period of six months. Since the original petitioner filed the appeal beyond the statutory period, same was dismissed.

However, the memorandum of appeal which is at Annexure-11 to the writ application (running page 41) clearly indicates that the said memorandum of appeal was received by the office on 01.04.2010 i.e. certainly within a period of six months.

4. Having regard to the aforesaid facts, without interfering with the order of punishment of dismissal, the appellate order dated 26.04.2015 by which the appeal was dismissed on account of time barred, is quashed and set aside and the instant case is remitted to the appellate authority to pass a fresh order in accordance with law.

5. It goes without saying that if the order is passed in favour of original delinquent who is no more, the monetary benefits shall be extended to the present petitioners. The entire exercise shall be completed within a period of four months from date of receipt of copy of this order.

6. With the aforesaid observation, the instant writ application stands disposed of.

7. Pending I.As., if any, also stand disposed of.

(Deepak Roshan, J.)

19th January 2026

Amit

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