

ITEM NO.56

COURT NO.14

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).6415/2021

(Arising out of impugned final judgment and order dated 18-03-2021 in LPA No.40/2019 passed by the High Court of Jharkhand at Ranchi)

PARAS KUMAR

Petitioner(s)

VERSUS

THE STATE OF JHARKHAND & ORS.

Respondent(s)

IA No.168905/2021 - EXEMPTION FROM FILING O.T.

IA No.55996/2021 - EXEMPTION FROM FILING O.T.

IA No.55994/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No.55995/2021 - PERMISSION TO FILE SYNOPSIS AND LIST OF DATES

Date : 28-08-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.M. SUNDRESH

HON'BLE MR. JUSTICE J.B. PARDIWALA

For Petitioner(s) Mr. RK Singh, Adv.
Ms. Neeraj Singh, Adv.
Mr. Tom Joseph, AOR
Mr. Kumar Gaurav, Adv.
Mr. Linto K.B., Adv.

For Respondent(s) Ms. Pragya Baghel, Adv.
Mr. Anando Mukherjee, AOR
Mr. Shwetank Singh, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Heard learned counsel for the parties and carefully perused the material placed on record.
2. We do not find any merit in the Special Leave Petition as what is challenged in the petition is the Preliminary Enquiry Report allegedly prepared without affording an opportunity to the petitioner.
3. Counsel for the respondents submitted that there is no need for issuance of any notice as the procedure would arise only

after the completion of the Report. According to the learned counsel, learned Single Judge while passing the order rightly observed that the stage at which the enquiry has been assailed, is premature, the same cannot be faulted with.

4. Accordingly, while dismissing the Special Leave Petition, we make it clear that we have not gone into the merits of the case and it is well open to the petitioner to take proper direction either in the event of any decision affecting the petitioner's right or when a final report is filed after hearing the petitioner on the interim report.

5. We further make it clear that the report adverse is only *prima facie* in nature.

6. As a sequel to the above, pending interlocutory applications stand disposed of.

(SATISH KUMAR YADAV)
DEPUTY REGISTRAR

(RAM SUBHAG SINGH)
COURT MASTER (NSH)