IN THE HIGH COURT OF JHARKHAND AT RANCHI

L.P.A. No. 524 of 2025

1. The State of Jharkhand through Chief Secretary, Government of Jharkhand, Ranchi having office at Project Building, Dhurwa, P.O. – Dhurwa, P.S. – Jagannathpur, District – Ranchi
2. The Principal Secretary, Government of Jharkhand, having its office at Jharkhand Mantralaya, Dhurwa, P.O. and P.S. – Dhurwa, District – Ranchi.
3. The Special Secretary, Road Construction Department, Government of Jharkhand, having its office at Jharkhand Mantralaya, Dhurwa, P.O. and P.S. – Dhurwa, District – Ranchi.
4. The Joint Secretary, Road Construction Department, Government of Jharkhand, having its office at Jharkhand Mantralaya, Dhurwa, P.O. and P.S. – Dhurwa, District – Ranchi.
5. The Deputy Secretary, Road Construction Department, Government of Jharkhand, having its office at Jharkhand Mantralaya, Dhurwa, P.O. and P.S. – Dhurwa, District – Ranchi.

… Respondents/Appellants.

Versus

Prashant Deva, son of Late (Dr.) N.P. Shrivastava, Resident of 301, Kali tower, H.B. Road, Lalpur, P.O. and P.S. – Lalpur, District – Ranchi. ... Petitioner/Respondent

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CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE MANOJ PRASAD

For the Appellants : Mr Ashutosh Anand, A.A.G-III
Ms Rishi Bharti, A.C to A.A.G-III
For the Respondent : Mr Arpan Mishra, Advocate

06/ Dated: 26.10.2026

1. Heard Mr Ashutosh Anand, learned A.A.G-III for the appellants and Mr. Arpan Mishra, learned counsel for the respondent.

2. I.A. No. 11038 of 2025 seeks condonation of delay of 169 days.

3. We have considered the reasons set out in the I.A. and we are satisfied that sufficient cause has been shown. Accordingly, we condone the delay and dispose of I.A. No. 11038 of 2025.

L.P.A. No. 524 of 2025

4. At the request of and with the consent of the learned counsel for the parties, L.P.A. No. 524 of 2025 is taken up for consideration.

5. This appeal is directed against Judgment and order dated 12.08.2024 passed by the learned Single Judge in W.P.(S) No. 5464 of 2016 whereby and whereunder, the penalty imposed upon the respondent herein and the consequential orders for recovery were quashed and set aside.

6. The learned counsel for the respondent submitted that an identical punishment order was made against Sanat Kumar Mandal, Assistant Engineer in relation to the same charges. This order was set aside by the learned Single Judge of this Court, vide Judgment and order dated 05.01.2021, in W.P.(S) No. 864 of 2020. L.P.A. No. 205 of 2021 instituted by the State against the learned Single Judge's order dated 05.01.2021 which was dismissed by the Coordinate Bench vide a detailed order dated 27.06.2024.

7. Learned counsel for the respondent submitted that since there is no difference in the two cases except that the respondent in the present case was the Executive Engineer and therefore,

following the reasoning in the Co-ordinate Bench's order dated 27.06.2024, even this appeal may be dismissed.

8. In this case, the impugned order dated 12.08.2024 specifically refers to the learned Single Judge's order dated 05.01.2021, passed in W.P.(S) No. 864 of 2020 and the dismissal of L.P.A. No. 205 of 2021 against the same. Thus, by following the Judgment and Order dated 27.06.2024 dismissing L.P.A. No. 205 of 2021, W.P.(S) No. 5464 of 2016 instituted by the respondent herein was allowed by the learned Single Judge vide the impugned order dated 12.08.2024.

9. Since we find no appreciable difference between the two matters, by following the reasoning in the Co-ordinate Bench's order dated 27.06.2024 in L.P.A. No. 205 of 2021, we dismiss this appeal without any order for costs.

10. Accordingly, this appeal is dismissed without any order for costs.

11. Pending I.As. also stands disposed of.

(M.S. Sonak, C.J.)

(Manoj Prasad, J.)

October 26, 2026
RC/Pramanik