IN THE HIGH COURT OF JHARKHAND AT RANCHI

L.P.A. No. 708 of 2025

The Secretary, Department of Road Construction, Government of Jharkhand, Ranchi ….. Appellant

Versus

1. Arbind Pandey, S/o Late Paras Nath Pandey, R/o B-2, Maharana Apartment, P.P. Compound, near Sujata Chowk, Ranchi
2. The State of Jharkhand, through its Chief Secretary, Ranchi
3. Secretary, Department of Personnel, Administrative Reforms and Rajbhasha, Government of Jharkhand, Ranchi
4. Secretary, Department of Finance, Government of Jharkhand, Ranchi
5. Accountant General (A&E), Jharkhand, Ranchi

….. Respondents

CORAM
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Appellant: Mr. Yogesh Modi, A.C. to A.A.G.-IA
For the Respondents: Mr. Amritansh Vats, Advocate

06/21.09.2026

I.A. No. 7313 of 2025:

1. Heard learned counsel for the parties and perused the averments made in the present interlocutory application.
2. Though there was some delay in communicating the impugned order to the department. So far as the rest of the period is concerned, sufficient reasons have been provided to explain the delay.
3. Even so far as the delay in communicating the impugned order to the department is concerned, the same is not quite inordinate.
4. Therefore, upon cumulative consideration of the averments made in the present interlocutory application, we condone the delay of 159 days in instituting the accompanying appeal.
5. The present interlocutory application is disposed of.

L.P.A. No. 708 of 2025:

6. With the consent of learned counsel for the parties, we have taken up the present appeal for consideration.

7. This appeal is directed against the learned Single Judge's order dated 09.12.2024 passed in W.P.(S) No. 5480 of 2024 directing the appellant herein to pay the difference of salary to the respondent No. 1 herein for the period he was officiating as In-charge Chief Engineer and Engineer-in-Chief.

8. Mr. Yogesh Modi, learned counsel for the appellant, submits that the impugned order should not have been passed, but considering the law laid down in the case of ***Arindam Chattopadhyay & Ors. v. State of West Bengal & Ors.*** reported in ***(2013) 4 SCC 152*** and the decision of a Co-ordinate Bench of this Court rendered on 04.08.2022 in L.P.A. No. 79 of 2022, we cannot agree with Mr. Yogesh Modi.

9. In fact, the above two decisions, cover the issue raised in the present matter and therefore we see no ground to interfere with the impugned order.

10. The present appeal is accordingly dismissed.

11. There shall be no order as to costs.

12. Pending interlocutory application will not survive and the same is disposed of.

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

(RAJESH SHANKAR, J.)

21.09.2026
Satish/Vikas/