Neutral Citation No. (2026:JHHC:29854-DB)

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No. 7801 of 2026

M/s Modi International through its Proprietor Ramdew Modi, aged about 63 years, S/o Babulal Modi, resident of House No.212, Ward No.18, Village Moriyawa, Jhumri Telaiya, P.O. & P.S. Jhumri Telaiya, District Koderma, Jharkhand ... ... **Petitioner**

Versus

1. The State of Jharkhand through its Principal Secretary, Department of Mines and Geology, having its office at Nepal House, Doranda, P.O. & P.S. Doranda, District Ranchi, Jharkhand.
2. The Director, Department of Mines and Geology, Government of Jharkhand, having its office at Nepal House, Doranda, P.O. & P.S. Doranda, District Ranchi, Jharkhand.
3. The Deputy Commissioner, Koderma, P.O. & P.S. Koderma, District Koderma, Jharkhand.
4. The District Mining Officer, Koderma, P.O. & P.S. Koderma, District Koderma, Jharkhand.

… … ... Respondents

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

For the Appellant : Mr Kanti Kumar Ojha, Advocate
Mr Sahja Nand Saraswati, Advocate
Mr Pranjal Chaturvedi, Advocate

For the Respondents : Mr Vibhor Mayank, AC to AG

02/ Dated: 06.10.2026

1. Heard learned counsel for the parties.

2. The petitioner has challenged the communication dated 22.05.2026 (Annexure-6). This communication dated 22.05.2026 refers to an

order dated 08.08.2025, on which the communication dated 22.05.2026 was issued.

3. In the petition as originally filed, the petitioner challenged the order dated 08.08.2025. However, that portion of the prayer clause has been struck out, and consequently, now there is no challenge to the order dated 08.08.2025. Even a copy of the order dated 08.08.2025 is not placed on record.

4. Mr Ojha states that a copy of the order dated 08.08.2025 was never communicated to the petitioner. This is averred in paragraph-19 of the petition.

5. Paragraph-20 of the petition is relevant and the same is transcribed hereinbelow:

> *"20. That after receiving of the aforesaid order contained in Memo No.522 dated 22.05.2026, the petitioner was advised by his counsel to challenge the Order of the Deputy Commissioner dated 08.08.2025, by a fresh Writ Application, being a subsequent development, instead of filing amendment of relief."*

6. However, instead of following his counsel's advice, the petitioner has chosen to file the present petition solely to challenge the consequential communication dated 22.05.2026. Such a petition, which does not challenge the main order dated 08.08.2025, would not be maintainable.

7. Without going into the controversy as to whether the order dated 08.08.2025 was indeed communicated to the petitioner or not, we requested Mr Vibhor Mayank, learned AC to AG, to ensure that the respondents communicate the order dated 08.08.2025 to the

petitioner within the next fifteen days, without prejudice to their contentions about communication, etc.

8. Upon receipt of the order dated 08.08.2025, we grant the petitioner liberty to file a fresh petition to challenge that order, as well as the communication dated 22.05.2026, by raising all permissible grounds.

9. All contentions of all the parties are expressly kept open.

10. This petition is disposed of with the above directions and liberty. No costs.

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

(Manoj Prasad, J.)

October 6th, 2026
BS/Madhav/-
Uploaded on: 09 / 10 /2026