

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**W.P.(S) No. 3447 of 2011**

Vijay Krishna Singh ..... Petitioner

**Versus**

1. The State of Jharkhand through the Commissioner cum Secretary, Dept. of Health Medical and Family Welfare, Govt of Jharkhand, Nepal House, Doranda PO and PS Doranda, Dist- Ranchi
2. The Director in Chief, Dept. of Health, Govt. of Jharkhand, PO and PS Namkum District Ranchi
3. The Regional Deputy Director, Health Service, South Chotanagpur Division, Hazaribagh, PO, PS & District Hazaribagh
4. The Civil Surgeon cum Chief Medical Officer, Ramgarh, PO, PS and District- Ramgarh
5. The incharge Medical Officer, Primary Health Centre Ramgarh, PO, PS & District- Ramgarh ..... Respondents

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**CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN**  
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For the Petitioner : None  
 For the Resp. State : Mr. R.K. Roy, Advocate  
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**05/ 08.09.2021** Heard through V.C.

2. Nobody appears for the petitioner even on repeated calls. However, Mr. Rakesh Kumar Roy, learned counsel is present for the respondent State.

3. Order dated 05.08.2021 reads as follows:

*“Heard through V.C.*

2. *Nobody appears for the petitioner even on repeated calls.*

3. *Order dated 28.07.2021 reads as follows:*

*“Heard through V.C.*

2. *Nobody appears for the petitioner even on repeated calls.*

3. *Mr. Aditya Raman, learned A.C. to G.A.-III appearing for the respondent State submits that this application should be dismissed on the ground of delay and laches because the petitioner has challenged the*

*order dated 13.05.1993 in the year 2011 and it appears the petitioner might not be interested in this case any more because the issue is now settled that no illegal appointment can be sustained in the eye of law.*

*4. Be that as it may, since the matter has been taken up after a long gap, with a view to give last opportunity to the petitioner, put up this case on 05.08.2021.”*

*4. In spite of the aforesaid order, none appears for the petitioner. However, Mr. Aditya Raman, learned counsel is present for the respondent State.*

*5. With a view to give one more opportunity to the petitioner, put up this case on 08.09.2021.*

*6. Let a copy of this order be sent to the petitioner.”*

**4.** Pursuant to the aforesaid order true copy of the order dated 05.08.2021 was sent to the petitioner for information by the registered post. However, as per report received from process server the said order was not delivered with report that the petitioner has died and the order was refused to be accepted.

**5.** Forced with the situation, the instant writ application is hereby dismissed for non-prosecution with a liberty to the legal heirs of the petitioner to raise the grievance, if so advised.

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

**(Deepak Roshan, J.)**