



HIGH COURT OF JHARKHAND, RANCHI

संवाद *Newsletter*

January - June, 2023 (VOL. : 01)



Highlights

- Inauguration of new High Court Building of High Court of Jharkhand ✓
- Oath Ceremony of 14th Chief Justice of High Court of Jharkhand ✓
- Judicial News and Events of High Court and District Courts of Jharkhand ✓
- Significant Judgements & Orders ✓
- E-Court Project Status ✓
- Human Resources in District Courts of Jharkhand ✓
- Judicial Work and Statistics of High Court and District Courts of Jharkhand ✓

ALSO AVAILABLE AT :
www.jharkhandhighcourt.nic.in

*“Wisdom is to live
in tune with the
mode of the
changing world.”*

Thiruvalluvar

EDITORIAL BOARD

Hon'ble Mr. Justice Rajesh Shankar

Judge, High Court of Jharkhand

Hon'ble Mr. Justice Rajesh Kumar

Judge, High Court of Jharkhand

Hon'ble Mrs. Justice Anubha Rawat Choudhary

Judge, High Court of Jharkhand

Compiled by:

Ravi Ranjan, Registrar Vigilance,
High Court of Jharkhand

Tanvee, Deputy Secretary,
High Court of Jharkhand

Amit Kumar, Court Manager,
High court of Jharkhad





Sl. No.	Chapter Name	Page No.
1.	<i>From the Desk of Chief Justice</i>	5-6
2.	<i>From the Desk of Editorial Board</i>	7-8
3.	<i>High Court of Jharkhand - A brief description</i>	11-12
i	<i>Hon'ble the Chief justice and Sitting Judges of High Court of Jharkhand</i>	14-15
ii	<i>Important Administrative Committees</i>	16-18
iii	<i>Administrative Developments</i>	19-21
iv	<i>High Court Statistics along with graphical presentation</i>	22-24
v	<i>Human Resource</i>	25-26
vi	<i>Officers of Registry</i>	27
4.	<i>News and Events</i>	
i	<i>Inauguration ceremony of new High Court Building</i>	31-36
ii	<i>Felicitation ceremony of labourers</i>	37
iii	<i>Felicitation ceremony of former Judges</i>	38-41
iv	<i>Oath ceremony of Hon'ble the Chief justice</i>	42-43
v	<i>Programme on Gender Sensitization</i>	44-45
vi	<i>Farewell ceremony of Hon'ble Mr Justice Aparesh Kumar Singh</i>	46-47
vii	<i>Grand Finale of Jharkhand High Court Cricket Premier League</i>	48
viii	<i>Felicitation ceremony of Senior Advocates</i>	49-50
ix	<i>Tree Plantation</i>	51-52
x	<i>International Yoga Day</i>	53



5.	Allied Organs	
	i. Jharkhand State Legal Services, Ranchi (JHALSA)	
	a. Man Ka Milan Pakhwara	57-58
	b. District wise tabular chart on case settlement through Mediation Drive (20-24 February 2023) for NI Act matters	59
	c. District wise tabular chart on case settlement through Mediation Drive (13-17 March 2023) for Family matters	60
	d. Other events	61-63
	ii. Judicial Academy Jharkhand, Ranchi	
	a. Tabular chart on Training Calendar	64-68
	b. Conference on Crime against women & Human Trafficking	69
	c. State Level Judicial Colloquium on Anti Human Trafficking	69
	d. Calendar on Other Training Programmes	70
	e. 2nd TOT on Counter Terrorism organized a by NJA at the Academy in collaboration with CEELI Institute, Prague and FJC, Washington DC	71
	f. Training Programme for Bangladesh Judicial Officers and Judges	71
	iii. The Jharkhand High Court Legal Services Committee	
	A brief look on the National Lok Adalats organized by the Jharkhand High Court Legal Services Committee, Ranchi	72-74
6	The E- Court Project	
	e. Technological Accomplishments during the period 01.07.2022 to 30.06.2023	75-77
7	Significant Judgments	81-132
8.	District Judiciary at a Glance	
	i. Statistics of the State of Jharkhand	135
	ii. Human Resource- Sanctioned strength, present working strength and vacancy position of Judicial Officers and Ministerial Staffs (Cadre-wise)	136-138
	iii. Nature/category wise statistics of the State of Jharkhand along with graphical presentation	139-143
	iv. District wise Working Strength and Statistical Report	144-167
9.	Judicial News & Events of District Courts of Jharkhand	171-176





From The Desk of Chief Justice

I am delighted to present the First Volume of our Newsletter series – ‘Samvad’ which has been published after a long gap. Through this publication, we have attempted to inform general public and other stakeholders of justice delivery system about some of the important achievements and developments of Jharkhand judiciary that took place in the first six months of the year 2023.

2023 has been an eventful year for the Jharkhand judiciary. The Jharkhand High Court shifted to a new green building at Dhurwa on 24th May 2023, signifying a new beginning. We had the privilege to host Her Excellency Smt. Draupadi Murmu, President of India and Hon’ble Dr. Justice D. Y. Chandrachud, Chief Justice of India on the historic occasion. One of the biggest problems faced by the Jharkhand High Court was the dearth of space in the old building. This problem has been addressed by the sprawling state of the art new building, giving much needed relief to the judges, advocates, staff and the litigants. The herculean task of shifting the High Court to a new place was performed admirably and smoothly by the Registry members and staff under the guidance and encouragement of Brother Judges.

Leading a young institution like the Jharkhand High Court is an absolute honour and privilege for me but it is also a very challenging task. This year we have taken various initiatives to ensure inclusion and ease of access to justice for the common

litigants. These initiatives will not only help us perform better in more transparent and responsible way but also will help to take the Jharkhand judiciary to even greater heights of success. Our emphasis is on enhancing infrastructural capacity of District Courts by constructing well-equipped court rooms with modern facilities, residential quarters for judicial officers and court staff and building Vulnerable Witness Deposition Centres etc. We are committed to promote access to justice for all by using modern user-friendly technologies in courts. Major initiatives which have been taken by us are Digitization of records, FASTER system, On-line view of defective filing, On-line supply of Certified Copies, E-Filing and E-payment of court fees etc. All these measures will ensure greater transparency and accountability in court proceedings.

We have also taken measures to reduce pendency of cases by better management of cases and target oriented disposal of old cases and the result is evident in increase in the rate of disposal both at the High Court and District Courts level. I express my gratitude to my Sister and Brother Judges for their unconditional and wholehearted support rendered by them in all the initiatives undertaken by us.

I appreciate the sincere efforts of the Editorial Committee, the Registry Members and other support staff for coming out with this publication and I wish great success to this endeavor. I am confident that with our collective and concerted efforts, Jharkhand judiciary will achieve new benchmarks of judicial excellence.

Sanjaya Kumar Mishra
Chief Justice



From The Desk of Editorial Board.....

It gives us immense pleasure to present the Newsletter series of the High Court of Jharkhand after an extended hiatus. This is not the age of obscurantism but dawning of a digital age where fast communication and free flow of information and knowledge are preferred and encouraged. Judiciary, as an institution, cannot remain oblivious to this trend and has to adapt and adjust itself with the changing requirements of modern age. Therefore, it is absolutely necessary for courts to establish a viable and transparent system of communication to remain relevant and in sync with time. Persistent and sustained exchange of information and communication of ideas with people, particularly with the stakeholders of justice dispensation system, will help the courts to win their trust and will also allow them to perform their constitutional duties with greater transparency and responsibility.

Publication of the newsletter series “Samvad” is an effort to bridge the communication gap between the judiciary and the people by disseminating relevant information about judicial and administrative initiatives and developments taking place in the High Court as well as in the district courts.

First half of 2023 has been a year of great historical significance for the High Court

Jharkhand. Our High Court has shifted to a new sprawling green building at Dhurwa. We had the privilege to host Her Excellency Smt. Draupadi Murmu, President of India and Hon'ble the Chief Justice of India Dr. Justice D. Y. Chandrachud on the inaugural ceremony of the new building. Under the energetic leadership of Hon'ble Chief Justice Sri Sanjaya Kumar Mishra, the High Court is buzzing with activities and we have tried to cover all these developments in the 1st volume of the newsletter in a comprehensive manner. This volume also contains statistical data of judicial work, various administrative and infrastructural initiatives taken by the High Court and the District Courts and reports on conferences and seminars held during the first six months of the year.

The publication of this Newsletter has been possible due to steadfast support and encouragement given by the Hon'ble Chief Justice and we express our deepest gratitude to His Lordship for reposing faith in us. We are also thankful to other Hon'ble Judges of the High Court of Jharkhand for their continued support and encouragement.

We appreciate the collective effort of our editorial team, compilers and other supporting staff who worked tirelessly to make this project a success. We hope that this volume of 'Samvad' will be liked by all. Any valuable feedback, suggestion or opinion to improve the quality of the newsletter from readers will be highly appreciated.

Rajesh Shankar J.


Rajesh Kumar J.

Anubha Rawat Choudhary J.



*A Brief
Description*





*“Good thought can be
imbibed by reading and
studying good books
and by contemplating on
them.”*

The Yajur Veda





सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

HIGH COURT OF JHARKHAND, RANCHI "A BRIEF DESCRIPTION"

A circuit bench of the Patna High Court was established at Ranchi with effect from 6th March, 1972 under clause 36 of the Letter Patent of that High Court. The bench was established to meet the needs of the Adivasi Population of the Chota Nagpur region in the erstwhile State of Bihar. The Circuit bench was made Permanent by the Patna High Court vide Establishment of Permanent Bench at Ranchi Act, 1976 (Act no. 57 of 1976) with effect from 8th April 1976. The Jharkhand High Court came into existence after reorganisation of State of Bihar by which a new State of Jharkhand was carved out of the southern part of Bihar on 15th November 2000.

The High Court of Jharkhand started functioning with Hon'ble Sri Justice V. K. Gupta as its first Chief Justice and six other Hon'ble judges namely Sri Justice S. N. Mishra, Sri Justice Gurushran Sharma, Sri Justice S. J. Mukhopadhyay, Sri Justice M. Y. Eqbal, Sri Justice Ashoke Kumar Prasad and Sri Justice Deoki Nandan Prasad. Initially, the sanctioned strength of this High Court was 12 judges but it was subsequently raised to 20 judges with effect from 1st November 2007. At present, the sanctioned strength of Judges is 25 but the High Court is functioning with working strength of 20 judges including Hon'ble the Chief Justice.

From 1972 onwards, the Circuit Court and the Permanent Bench of the High Court of Patna and thereafter the High Court of Jharkhand were functioning from the old heritage building situated at Doranda, Ranchi. However, with the increase in number of litigations, judges, officers, advocates and staff, the Old High Court building became inadequate to cater the growing needs of space. Hence, a blue print of new building was conceptualized and a grand new edifice was constructed at Dhurwa, Ranchi.

The new High Court building was inaugurated by Her Excellency Smt. Droupadi Murmu, the President of India on 24th May 2023 in the benign presence of Hon'ble the Governor, State of Jharkhand, Hon'ble the Chief Justice of India, Hon'ble Minister, Law & Justice, Government of India, Hon'ble the Chief Minister, Government of Jharkhand and Hon'ble the Chief Justice, High Court of Jharkhand.





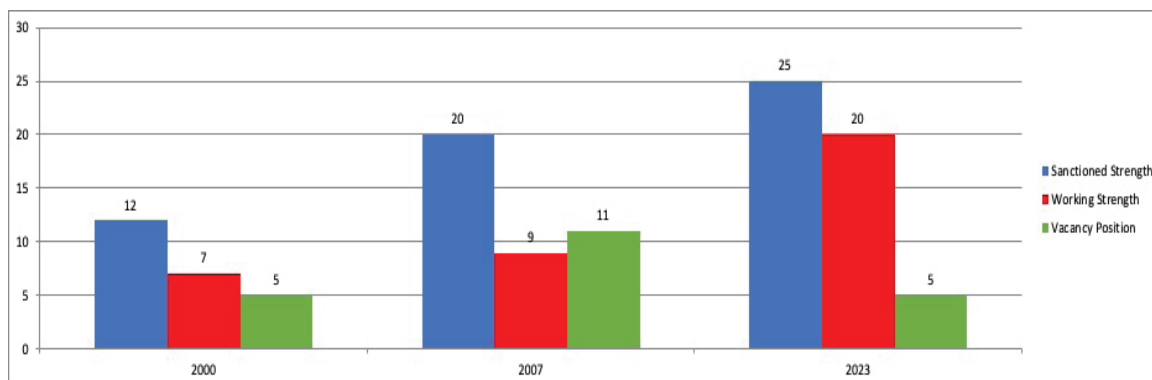
The new High Court building houses twenty-four Court Rooms, each measuring 65 feet long and 40 feet wide apart from the Court Room of the Chief Justice which is 80 feet long and 65 feet wide. Beautiful well-furnished chamber, ante-room, waiting room and room of personal assistant is attached to every Court Room. For smooth functioning of the judicial system, the Court rooms are equipped with latest audiovisual devices, facilitating effective communication during hearings. Furthermore, the building incorporates separate rooms for Video Conferencing, a Conference Room, and an extensive library with a capacity to hold over 5 lakh books.

The building also has two blocks specifically dedicated for advocates with total 576 chambers, with additional 76 Chambers reserved for the Senior Advocates of the High Court. The New High Court building is designed and designated as a green building equipped with solar panels with a capacity to generate two megawatts of electricity. Its exterior walls are designed to withstand fire, water and sound pollution. Rainwater harvesting systems have also been installed and the entire building stands as a symbol of sustainable development.

Judges' Strength, Analysis of Working Strength of Judges

<i>Judges' Strength (As on 30.06.2023)</i>	
Sanctioned Strength of Judges	25
Working Strength of Judges	20
<i>Analysis of working strength of Judges (from 01.07.2022 to 30.06.2023)</i>	
Lowest	20
Highest	21

Year Wise Judges' Strength, Analysis of Working Strength of Judges



*Hon'ble the Chief
Justice and
His Companion
Justices*





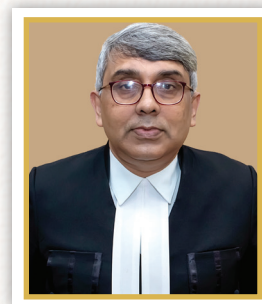
Hon'ble The Chief Justice
Sanjaya Kumar Mishra



Hon'ble Mr. Justice
S.Chandrashekhar



Hon'ble Mr. Justice
Sujit Narayan Prasad



Hon'ble Mr. Justice
Rongon Mukhopadhyay



Hon'ble Mr. Justice
Ratnaker Bhengra



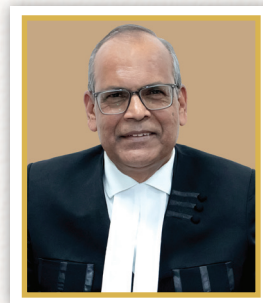
Hon'ble Mr. Justice
Ananda Sen



Hon'ble Dr. Justice
S.N. Pathak



Hon'ble Mr. Justice
Rajesh Shankar



Hon'ble Mr. Justice
Anil Kumar Choudhary



Hon'ble Mr. Justice
Rajesh Kumar



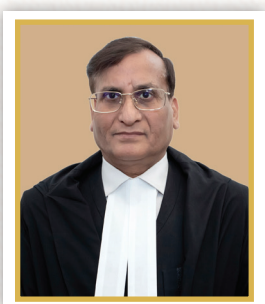
Hon'ble Mrs. Justice
Anubha Rawat Choudhary



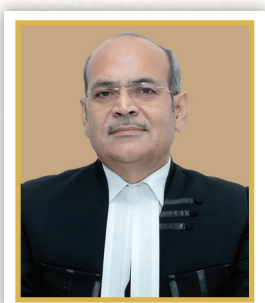
Hon'ble Mr. Justice
Sanjay Kumar Dwivedi



Hon'ble Mr. Justice
Deepak Roshan



Hon'ble Mr. Justice
Subhash Chand



Hon'ble Mr. Justice
Gautam Kumar Choudhary



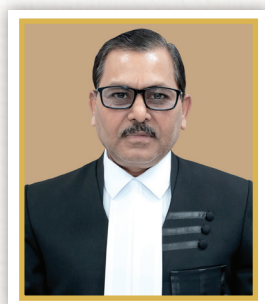
Hon'ble Mr. Justice
Ambuj Nath



Hon'ble Mr. Justice
Navneet Kumar



Hon'ble Mr. Justice
Sanjay Prasad



Hon'ble Mr. Justice
Pradeep Kumar Srivastava



IMPORTANT ADMINISTRATIVE COMMITTEES

Sl. No.	Name Of Committee	Hon'ble Chairman And Hon'ble Members
1.	Standing Committee under Rule 6 of High court of Jharkhand Rules, 2001	(i) Hon'ble the Chief Justice (ii) Hon'ble Mr. Justice S. Chandrashekhar (iii) Hon'ble Mr. Justice Sujit Narayan Prasad (iv) Hon'ble Mr. Justice Rongon Mukhopadhyay (v) Hon'ble Mr. Justice Anil Kumar Choudhary
2.	Core Committee	(i) Hon'ble the Chief Justice, Chairman (ii) Hon'ble Mr. Justice S. Chandrashekhar, Member (iii) Hon'ble Mr. Justice S. N. Prasad, Member (iv) Hon'ble Mr. Justice Ananda Sen, Member
3.	Computer and Digitization Committee	(i) Hon'ble the Chief Justice, Chairman (ii) Hon'ble Mr. Justice S. Chandrashekhar, Member (iii) Hon'ble Mr. Justice S. N. Prasad, Member (iv) Hon'ble Mr. Justice Ananda Sen, Member (v) Hon'ble Mr. Justice Rajesh Shankar, Member
4.	Advocates' Grievance Redressal Committee in the High Court	(i) Hon'ble the Chief Justice (ii) Hon'ble Mr. Justice Rongon Mukhopadhyay (iii) Hon'ble Mr. Justice Anil Kumar Choudhary (iv) The Advocate General, State of Jharkhand (v) The Chairman, Jharkhand State Bar Council (vi) The President, Advocates' Association, High Court of Jharkhand, Ranchi.
5.	Finance Committee	(i) Hon'ble Mr. Justice S. Chandrashekhar, Chairman (ii) Hon'ble Mr. Justice S. N. Prasad, Member (iii) Hon'ble Mr. Justice Rongon Mukhopadhyay, Member
6.	State Level Mediation Monitoring Committee	(i) Hon'ble Mr. Chandrashekhar, S. Chairman Justice (ii) Hon'ble Dr. Justice S. N. Pathak, Member (iii) Hon'ble Mr. Justice Rajesh Shankar, Member (iv) Hon'ble Mrs. Justice Anubha Rawat Choudhary, Member
7.	Screening Committee	(i) Hon'ble Mr. Justice S. Chandrashekhar, Chairman (ii) Hon'ble Mr. Justice Sujit Narayan Prasad, Member (iii) Hon'ble Mr. Justice Anil Kumar Choudhary, Member
8.	A.C.R. Committee	(i) Hon'ble Mr. Justice S. Chandrashekhar, Chairman (ii) Hon'ble Mr. Justice Sujit Narayan Prasad, Member (iii) Hon'ble Mr. Justice Dr. S.N. Pathak, Member (iv) Hon'ble Mr. Justice Anil Kumar Choudhary, Member (v) Hon'ble Mr. Justice S.K. Dwivedi, Member



Sl. No.	Name Of Committee	Hon'ble Chairman And Hon'ble Members
9.	Arrears committee	(i) Hon'ble Mr. Justice Sree Chandrashekhar, Chairman (ii) Hon'ble Mr. Justice Sujit Narayan Prasad, Member (iii) Hon'ble Mr. Justice Rajesh Kumar, Member
10.	Establishment Committee	(i) Hon'ble Mr. Justice Shree Chandrashekhar, Chairman (ii) Hon'ble Mr. Justice Sujit Narayan Prasad, Member (iii) Hon'ble Mr. Choudhary, Member Justice Anil Kumar (iv) Hon'ble Mrs. Justice Anubha Rawat Choudhary, Member (v) Hon'ble Mr. Justice Ambuj Nath, Member
11.	State Court Management System (SCMS) Committee	(i) Hon'ble Mr. Justice S. Chandrashekhar, Chairman (ii) Hon'ble Mr. Sujit Narayan Prasad, Member (iii) Hon'ble Mr. Justice Rongon Mukhopadhyay, Member (iv) Hon'ble Mr. Justice Anil Kumar Choudhary, Member
12.	Committee for Sensitization of Family Court Matters	(i) Hon'ble Mr. Justice S. Chandrashekhar, Chairman (ii) Hon'ble Dr. Justice S. N. Pathak, Member (iii) Hon'ble Mr. Justice Rajesh Shankar, Member (iv) Hon'ble Mrs. Justice Anubha Rawat Choudhary, Member
13.	State Level Committee for Monitoring Infrastructure Judiciary	(i) Hon'ble Mr. Justice Sujit Narayan Prasad, Portfolio Judge (ii) Hon'ble Mr. Justice Rongon Mukhopadhyay, Member (iii) Hon'ble Mr. Justice Ananda Sen, Member (iv) Registrar General, High Court of Jharkhand, Member (v) Principal Secretary, Law (Judicial) Department, Member (vi) Secretary, Building Construction Department, Member
14.	Artificial Intelligence Committee	(i) Hon'ble Mr. Justice S.N. Prasad, Chairman (ii) Hon'ble Mr. Justice Ananda Sen, Member (iii) Hon'ble Mr. Justice Rajesh Shankar, Member (iv) Hon'ble Mr. Justice S. K. Dwivedi, Member
15.	Juvenile Justice-cum-POCSO Committee	(i) Hon'ble Mr. Justice Sujit Narayan Prasad, Chairman (ii) Hon'ble Mr. Rongon Mukhopadhyay, Member (iii) Hon'ble Mr. Justice Anil Kumar Choudhary, Member (iv) Hon'ble Mrs. Justice Anubha Rawat Choudhary, Member



Sl. No.	Name Of Committee	Hon'ble Chairman And Hon'ble Members
16.	High Court Rules Committee	(i) Hon'ble Mr. Justice S. N. Prasad, Chairman (ii) Hon'ble Mr. Justice Rajesh Shankar, Member (iii) Hon'ble Mr. Justice Anil Kumar Choudhary, Member
17.	Jharkhand High Court Building Committee	(i) Hon'ble Mr. Justice Rongon Mukhopadhyay, Chairman (ii) Hon'ble Dr. Justice S. N. Pathak, Member (iii) Hon'ble Mr. Justice Anil Kumar Choudhary, Member (iv) Hon'ble Mrs. Justice Anubha Rawat Choudhary, Member
18.	Sports Committee	(i) Hon'ble Mr. Justice Rongon Mukhopadhyay, Chairman (ii) Hon'ble Mr. Justice Ratnaker Bhengra, Member (iii) Hon'ble Mr. Justice Ananda Sen, Member (iv) Hon'ble Mr. Justice Deepak Roshan, Member
19.	Committee of Library/ to prepare a complete scheme for establishing the Indian Law Reports Jharkhand Series Section in the High Court	(i) Hon'ble Mr. Justice Rongon Mukhopadhyay, Chairman (ii) Hon'ble Mr. Justice Dr. S. N. Pathak, Member (iii) Hon'ble Mr. Justice Rajesh Kumar, Member.
20.	Vulnerable Witness Deposition Centre Committee	(i) Hon'ble Mr. Justice Rongon Mukhopadhyay (ii) Hon'ble Mr. Justice Dr. Shiva Nand Pathak (iii) Hon'ble Mr. Justice Gautam Kumar Choudhary
21.	Newsletter Publishing Committee for publication of Newsletter/Annual Report	(i) Hon'ble Mr. Justice Rajesh Shankar (ii) Hon'ble Mr. Justice Rajesh Kumar (iii) Hon'ble Mrs. Justice Anubha Rawat Choudhary
22.	High Court of Jharkhand Gender Sensitization & Internal Complaints Committee (HCJGSICC)	(i) Hon'ble Mrs. Justice Anubha Rawat Choudhary, Hon'ble Chairperson (ii) Hon'ble Mr. Justice Navneet Kumar, Hon'ble Member, (iii) Ms. M.M.Pal, Member, (iv) Ms. Darshna Poddar Mishra, Member (v) Ms. Priti Srivastava, Member (vi) Dr. Ram Singh, Member (vii) Ms. Tanvee, Member Secretary



सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

ADMINISTRATIVE DEVELOPMENTS

The Central Government is administering a Centrally Sponsored Scheme (CSS) for Development of Infrastructure facilities for the Judiciary since 1993-94 to augment the resources of the State Government for construction of Court buildings and residential accommodation for Judicial Officers of Districts Courts. The assistance is provided on sharing basis between the Center and the State in the ratio of 60:40 for the State of Jharkhand.

As per the information available, **651 Courts Halls and 572 Residential accommodations** for Judicial Officers are available within the State of Jharkhand (till July 2023). In addition, construction of 22 Courts Halls and 30 Residential units are in progress.

The total budgetary allocation to the State Government under CSS (Centrally Sponsored scheme) as based on the weightage-criterion determined by the revised guidelines is of the tune of **Rs. 12.50 Cr. for the year 2022-23 while the corresponding State's share is of an amount of Rs. 8.33 Cr.**

Ministry of Law & Justice, Government of India again released Rs. **4.005 Cr.** of Central Share on 30.03.2023 for the financial year 2022-23 which along with corresponding State Share could not be transferred to SNA account as PFMS portal was overloaded & was not working properly on 28.03.2023.

List of Ongoing Projects (Court Building)

- 12 Court Building at Lohardaga.
- 10 Court building at Chakardharpur at Chaibasa.

List of Ongoing Projects (Residential Building)

- 12 units C type Quarters at Sahibganj.
- 4 unit E type & 6 unit D type Quarters at Koderma.
- PDJ (Family Court) residence at Chaibasa.
- 6 unit D type & 6 unit B type Quarters at Nagar Untari, Garhwa.

Judicial Infrastructure Development currently proposed and under active consideration (Court Building)

- 79 Court Hall at Dhanbad.
- 41 Court Hall at Deoghar.
- 41 Court Hall at Giridih.
- 09 Court Hall at Gumla



Development with respect to VWDC (Vulnerable Witness Deposition Centre)

- (i) A committee namely 'Vulnerable Witness Deposition Centre Committee' comprising of three Hon'ble Judges of this Court has been constituted by Hon'ble the Chief Justice on 08.02.2022 to monitor the implementation of directions issued in light of the Judgement dated 11.01.2022 passed in Miscellaneous Application No. 1852 of 2019 in Criminal Appeal No. 1101 of 2019 (Smruti Tukaram Badade v. State of Maharashtra) by Hon'ble the Supreme Court of India.
- (ii) The Hon'ble Court has recalled 'High Court of Jharkhand Vulnerable Witness Deposition Centre Scheme' earlier sent to the State Government for notification and approved a new draft of 'The High Court of Jharkhand Guidelines for Recording of Evidence of Vulnerable Witnesses'. Accordingly, a letter in this regard along with a copy of 'The High Court of Jharkhand Guidelines for Recording Evidence of Vulnerable Witnesses' has been sent to the Principal Secretary, Law (Judicial), Department, Government of Jharkhand, Ranchi for issuance of necessary notification.
- (iii) As result of constant monitoring of the work of creation/conversion of Vulnerable Witness Deposition Centre (VWDC) in the Judgeships of the State by Hon'ble the Vulnerable Witness Deposition Centre Committee of this Court, the figure of function VWDC has been raised from one (01) Judgeship i.e. Ranchi to seven (07) Judgeships namely Chatra, Dhanbad, Dumka, Latehar, Gumla, Khunti and Ranchi. Also, remaining Judgeships of the State have set-up temporary arrangements to operationalize Vulnerable Witness Deposition Centre (VWDC) with appropriate facilities available in their respective Judgeships.

To achieve the objective of 'Five Plus Zero' pendency, the plan prepared by Hon'ble the SCMS Committee of High Court of Jharkhand envisages :-

1. The mode of monitoring the performance of Judicial Officers has been substituted by a New Plan effective from January, 2023 by Hon'ble the SCMS Committee of the High Court. This plan envisages that:-
 - A) Hon'ble Administrative Judges shall visit to their respective Judgeships (twice a year) for close scrutiny/appraisal. In addition to this, they may interact with the Judicial Officers of his/her Judgeship once in a month through virtual mode.
 - B) Appraisal report shall be provided to the SCMS Secretariat for placing the same before Hon'ble the SCMS Committee.
 - C) Hon'ble the SCMS Committee may interact with the District Judiciary of the State at least twice a year through V.C. as per fixed schedule.



सत्यमेव जयते

- D) Quarterly Report regarding performance of the District Judiciary of the State shall be placed before Hon'ble the SCMS Committee for appraisal.
1. Quarterly Report regarding performance of the District Judiciary of the State is to be placed before Hon'ble the SCMS Committee for appraisal.

Following data have been sought for from the District Judiciary for preparing Quarterly report:-

- Information regarding Pendency & Disposal of More than five Years Old Money Suits.
 - 20 Oldest cases (Judgeship-wise & Officer-wise).
 - Information regarding pendency of Criminal and Civil cases of each Officer of the Judgeship.
 - Pendency of more than 5 Years Old Cases, NI Act Cases & JJB Cases in the district.
 - Details of POCSO Cases (Institution, Disposal & Pendency) in the District.
 - Institution, Disposal & Pendency of Family Court cases of the Judgeship.
- Average Time Taken for disposal of cases (both High Court & District Judiciary) has been prepared by the SCMS Secretariat.
 - List of cases (District-wise) in which NBW (Non-Bailable Warrant) / Permanent Warrants issued are still unexecuted has been forwarded to the DGP, Govt. of Jharkhand, Ranchi for taking necessary steps in the matter.
 - The DGP, Govt. of Jharkhand, Ranchi has been requested to bestow personal attention in those cases which have been lodged prior to 01.08.2018 but Final Form (FF) still awaited and are reflecting in the National Judicial Data Grid (NJDG) under the more than five years old cases and to issue necessary directions in this regard to the SSP/SPs..
 - The Director General of Police, Govt. of Jharkhand, Ranchi has also been requested to issue necessary directions to concerned SSP/SPs of the Districts to submit Final Form (FF) in around 29,000 cases in which FIR lodged between 01.08.2018 to 31.12.2021.
 - 36763 more than five years old cases, 9739 cases under Section 138 of Negotiable Instruments Act, 2427 POCSO Act cases and 1770 cases related to Juvenile Justice have been disposed of throughout the State during the aforesaid period.
 - Special Drive of Mediation of Family Court cases through mediation are conducted in all the districts of the State on quarterly-basis. This exercise has yielded encouraging results. Total 1783 Family Court cases and 121 connected cases have been settled in 4 Special Drive of Mediation held during the aforesaid period.



HIGH COURT STATISTICS

Institution Disposal and Pendency from 01.07.2022 to 30.06.2023

Category	Pendency as on 01.07.2022	Institution (01.07.2022 to 30.06.2023)	Disposal (01.07.2022 to 30.06.2023)	Pendency as on 30.06.2023
CIVIL				
Writ Petition (Articles 226 & 227)	23383	6479	8471	21391
Company Matters	12	3	2	13
Contempt (Civil)	1767	1055	970	1852
Review (Civil)	334	116	128	322
Matrimonial Matters	10	21	6	25
Arbitration Matters	176	31	136	71
Civil Revisions	188	47	55	180
Tax Matters (Direct & Indirect)	230	11	22	219
Civil Appeals	4042	538	513	4067
Land Acquisition Matters	4491	502	2779	2214
MACT Matters	3297	61	1480	1878
Civil Suits (Original Side)	16	0	3	13
Other than above	2637	4673	1847	5463
CRIMINAL				
Writ Petition (Articles 226 & 227)	1187	780	1157	810
Criminal Revisions	5510	1580	2386	4704
Bail Applications	4108	24669	22523	6254
Criminal Appeals	23645	2592	1536	24701
Death Sentence Reference	17	8	1	24
Contempt (Criminal)	24	12	9	27
Misc. Criminal applications	10895	4745	5162	10478
Other than above	612	121	294	439



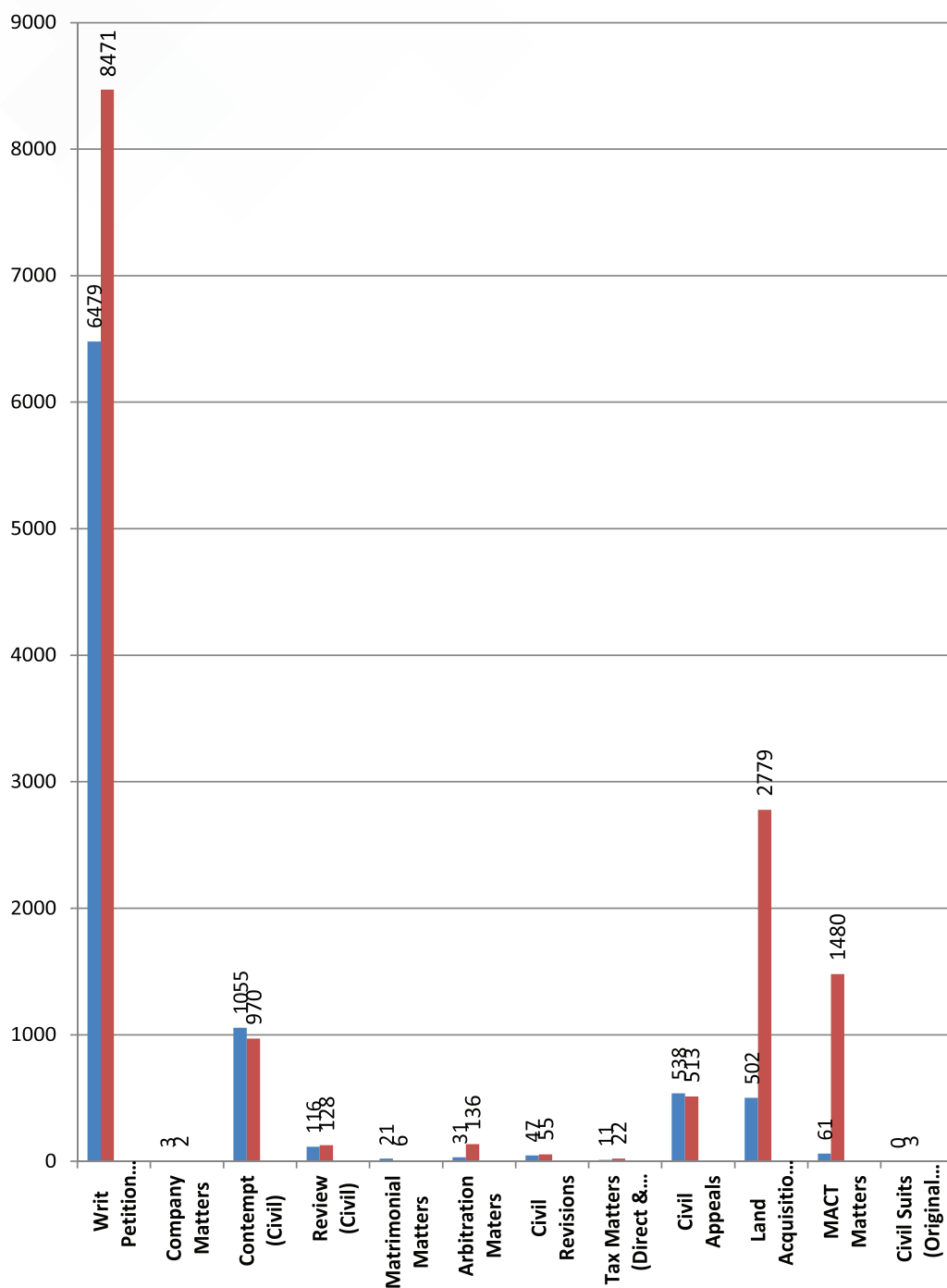
सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

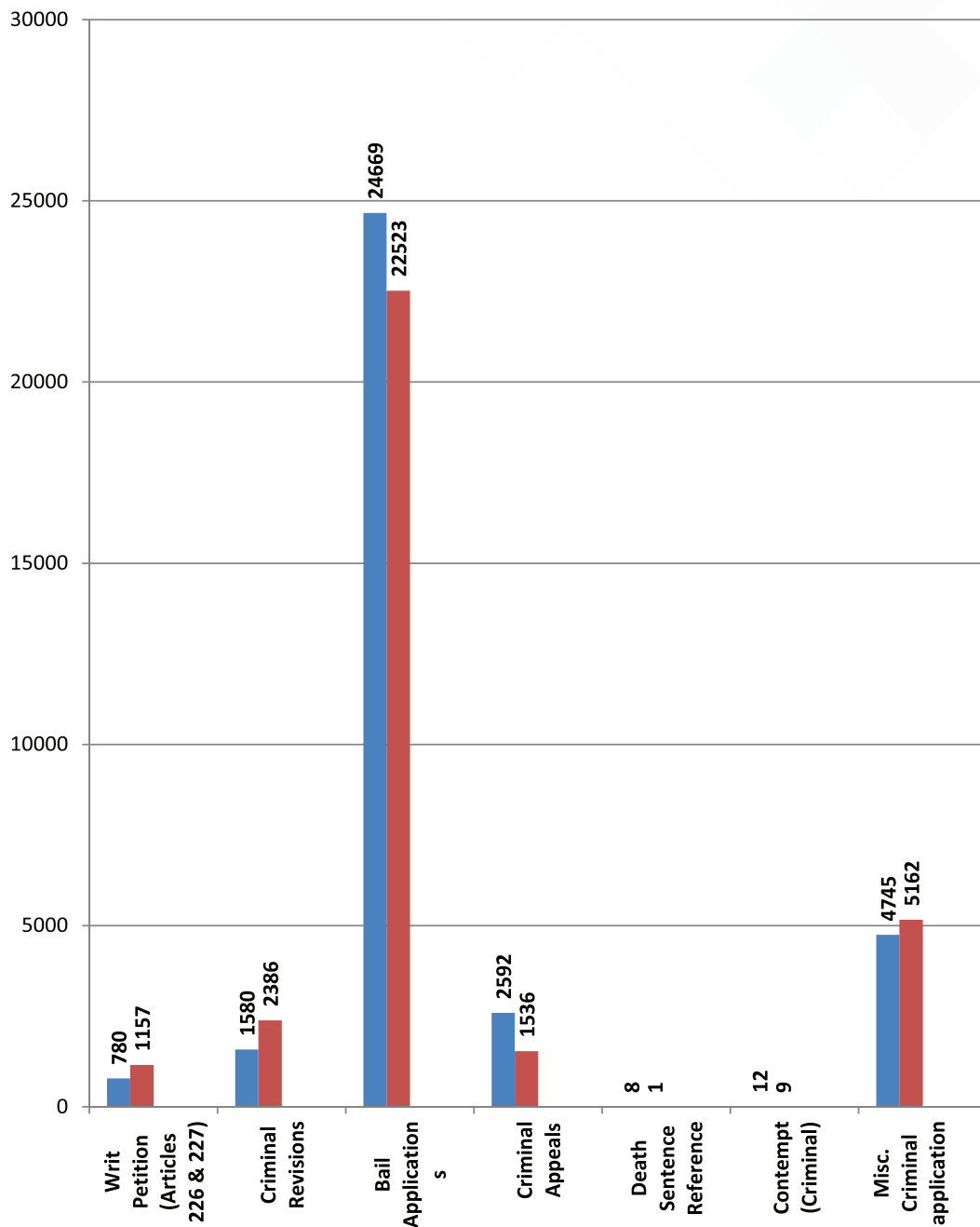
Nature wise (CIVIL) Comparative Analysis between Institution and Disposal for the period starting from 01.07.2022 to 30.06.2023



Colour code= Blue- Institution Red- Disposal



Nature wise (CRIMINAL) Comparative Analysis between Institution and Disposal for the period starting from 01.07.2022 to 30.06.2023



Colour code= Blue- Institution Red- Disposal



सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

Sanctioned Strength, Working Strength and Vacancy Position of Class I, II, III & IV of the High Court of Jharkhand, Ranchi

Sl. No.	Name of the post	Total Sanctioned Strength	Total Working Strength	Vacancy
1.	Registrar (Establishment)	01	01 (on deputation from Higher Judiciary)	00
2.	Joint Registrar (Non-Judicial)	03	03	00
3.	Deputy Registrar (Non-Judicial)	08	08	00
4.	DR-cum-PPS to Hon'ble The Chief Justice	01	00	01
5.	Senior Secretary to Hon'ble Judges	05	05	00
6.	Court Manager	02	02	00
7.	Secretary to Hon'ble Judges	25	25	00
8.	Assistant Registrar (Non-Judicial)	75	74	01
9.	Court Master	25	25	00
10.	Deputy Director (Translation)	01	01	00
11.	Section Officer	153	153	00
12.	Oath Commissioner	01	00	01
13.	Stamp Reporter	01	01	00
14.	Senior Personal Assistant	35	31	04
15.	Translation Officer	01	00	01
16.	Personal Assistant	62	14	48
17.	Assistant	304	225	79
18.	Legal Assistant	29	13	16
19.	Cashier	01	01	00
20.	Translator	02	01	01
21.	Assistant Librarian	01	01	00
22.	Junior Translator	01	01	00
23.	Typist	10	09	01



Sl. No.	Name of the post	Total Sanctioned Strength	Total Working Strength	Vacancy
24.	Ex-Cadre Assistant	07	06	01
25.	Assistant Court Officer	01	00	01
26.	Staff Car Driver	43	40	03
27.	Treasury Sarkar	01	00	01
28.	Xerox Operator	04	04	00
29.	Fax Operator	01	01	00
30.	Mali	07	07	00
31.	Jamadar	53	53	00
32.	Cook	31	25	06
33.	Record Supplier	01	01	00
34.	Generator Operator	01	00	01
35.	Daftari	03	02	01
36.	Chaukidar	03	03	00
37.	Faras	13	04	09
38.	Sweeper	22	12	10
39.	Water Supplier	04	04	00
40.	Peon	171	108	63
41.	Pass Distributor	01	01	00
Total		1114	865	249





सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

HIGH COURT OF JHARKHAND

OFFICERS OF THE REGISTRY

REGISTRAR GENERAL & REGISTRARS

Sl. No.	Name and Designation of Officer	EPABX Number	Mobile Number
1.	Sri Mohammad Shakir Registrar General	2972	9431115615 7070992015
2.	Sri Nikesh Kumar Sinha Registrar Administration	3076	9431101467
3.	Sri Sanjay Kumar Member Secretary, SCMS	3116	9471590269
4.	Sri Kaushal Kishore Jha Registrar Establishment	2968	9431101468 7070992016
5.	Sri Ravi Ranjan Registrar Vigilance	2971	9471738128 7070991197

JOINT REGISTRARS (JUDICIAL SIDE)

6.	Sri Sanjay Kumar Singh no.-1 Joint Registrar (Judicial)	3117	9431106597 7070992020
8.	Sri Debashish Mohapatra Joint Registrar (List & Computer)	2993	7070992019 9431101469
9.	Sri Anjani Anuj Joint Registrar (CPC, E-Committee)	3114	7070991198 9431707255

JOINT REGISTRARS (NON JUDICIAL SIDE)

10.	Sri Gopal Jha Joint Registrar PPS to the Hon'ble the Chief Justice	2946	9431706858
11.	Sri Sushil Kumar Mishra Joint Registrar Admin-II	3147	9431104522
12.	Sri Krishna Murari Tiwari Joint Registrar Admin-III	3148	9431706849

DEPUTY REGISTRARS (JUDICIAL SIDE)

13.	Md. Faheem Kirmani Deputy Registrar Protocol	2973	9431115617 7070992017
14.	Sri Shivendu Dwivedi Deputy Registrar Dedicated Cell	2983	8987788438
15.	Ms. Tanvee Deputy Secretary SCMS	3118	7070992022

ASSISTANT REGISTRAR (JUDICIAL SIDE)

16.	Sri Prashant Gupta Assistant Registrar (Judicial)/OSD to Hon'ble the Chief Justice	3104	8757718555
-----	---	------	------------



*News
&
Events*





*“I regard them to be
perfect yogis who see the
true equality of all living
beings.”*

The Bhagvad Gita





सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

INAUGURATION OF NEW BUILDING OF THE HIGH COURT OF JHARKHAND (24.05.2023)



24th day of May 2023 will remain immortalised in the history of Jharkhand judiciary as Her Excellency, Smt Draupadi Murmu, The President of India, dedicated a modern, state of the art, new green building of the High Court to the people of Jharkhand. The inauguration function was graced by Hon'ble Shri C.P. Radhakrishnan, Governor of Jharkhand, Hon'ble Dr. Justice D.Y. Chandrachud, Chief Justice, Supreme Court of India, Hon'ble Shri Hemant Soren,

Chief Minister of Jharkhand, Hon'ble Justice Aniruddha Bose, Judge, Supreme Court of India, Shri Arjun Ram Meghwal, Union Minister of State for Law and Justice, and Hon'ble Mr. Justice Sanjaya Kumar Mishra, Chief Justice, High Court of Jharkhand. The grand programme was witnessed by the sitting and former Judges of High Court of Jharkhand, top bureaucrats, government officers, head of educational institutes and about two thousand other dignitaries.





सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)







सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)







सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

FELICITATION CEREMONY OF LABOURS

Felicitation of Labours who were instrumental in construction of New High Court Building (24.05.2023)



As a token of gratitude for their hard work, Hon'ble Dr. Justice D.Y. Chandrachud, Chief Justice of India, felicitated some of the labours who were involved in the construction work of new High Court building.

FELICITATION OF FORMER JUDGES



25th May 2023 was a day to express our gratitude to former Chief Justices and other retired judges of Jharkhand High Court who had served and nurtured this institution since its inception. All the invitees were present with their spouses and they were felicitated by Hon'ble the Chief Justice and other sitting judges of the High Court for their contributions made over the years to Jharkhand Judiciary. The Souvenir of the High Court of Jharkhand, "Yugantar" was also released on the occasion. It was a day to be nostalgic and to travel down



the memory lane for all the invitees who expressed their emotions by visiting the old High Court building and remembering their good old days spent there.



सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)







सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)



OATH CEREMONY OF HON'BLE THE CHIEF JUSTICE OF JHARKHAND (20.02.2023)

Hon'ble Mr. Justice Sanjaya Kumar Mishra was appointed as the 14th Chief Justice of High Court of Jharkhand vide notification No. K13022/01/2022-US.II, dated 17.02.2023 and took oath of High Court of Jharkhand on 20th day of February, 2023.



The Hon'ble Governor of Jharkhand, **Shri C.P. Radhakrishnan**, administered the oath of office to the Hon'ble Chief Justice at a function organised at the Birsa Mandap, Raj Bhavan, Ranchi. Hon'ble Chief Minister of Jharkhand Shri Hemant Soren, Cabinet Ministers of the State, Hon'ble Judges of the High Court of Jharkhand, Registry members, senior government officials, police personnel and important dignitaries attended the swearing-in-ceremony.



सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)



PROGRAMME ON GENDER SENSITIZATION

Programme on Gender Sensitization with Focus on Prevention, Prohibition and Redressal of Sexual Harassment Women at Workplace- 17.03.2023

The Gender Sensitization and Internal Complaints Committee of the Jharkhand High Court organised a programme on Gender Sensitization with focus on prevention, prohibition and redressal of sexual harassment of women at the workplace in the old building of the Jharkhand High Court on 17th march 2023. The programme was presided by Hon'ble the Chief Justice of Jharkhand High Court.





सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)



FAREWELL OF HON'BLE MR. JUSTICE APARESH KUMAR SINGH, JUDGE HIGH COURT OF JHARKHAND (12.04.2023)

12th April 2023 was an emotional day for the Jharkhand high court as it bid farewell to Hon'ble Mr. Justice Aparesh Kumar Singh who was appointed as the Chief Justice of the High Court of Tripura. At the initiative of our Hon'ble Chief Justice, a Full Court Reference





was organized in the honour of Hon'ble Mr. Justice Aparesh Kumar Singh which was attended by the learned members of the Bar, the Bench and the Registry. In the evening, a farewell dinner was also organised in the White Hall of the old High Court building in honour of Hon'ble Mr. Justice Aparesh Kumar Singh.



GRAND FINALE OF JHARKHAND HIGH COURT CRICKET PREMIER LEAGUE – (26.02.2023)



The Jharkhand High Court Cricket Premier League was organized by the Sports Committee of the High Court in the month of February 2023 in which eight teams had participated. The Grand Finale of the Cricket League was played at the Mecon Stadium, Doranda. In a keenly contested final match, the Titans India defeated the High Court Rangers and lifted the Winner's trophy. The close match was witnessed by the Hon'ble Judges, Registry members and large number of employees of the High Court.



सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

FELICITATION OF SENIOR ADVOCATES OF HIGH COURT OF JHARKHAND (12.06.2023)



Advocates are the officers of the court and mutual respect and cooperation among Bar and Bench is essential for smooth functioning of justice dispensation system. Hence, as a token of humble gratitude, on 12th June 2023, the first working day of the Court in the New Building, some of the Senior Advocates of

the Court were felicitated by Hon'ble the Chief Justice and other sitting Judges of the High Court of Jharkhand.





सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

TREE PLANTATION AT NEW HIGH COURT BUILDING- 14.06.2023

To commemorate the commencement of work at the new campus of the High Court of Jharkhand and in order to celebrate the World Environment Week, a Plantation Drive was carried out in the High Court premises. Hon'ble Mr. Justice Sanjaya Kumar Mishra, Chief Justice of High Court of Jharkhand along with sitting Judges of the High Court and their respective spouses participated in this drive. It was a step towards protecting our green planet.







सत्यमेव जयते

HIGH COURT OF JHARKHAND

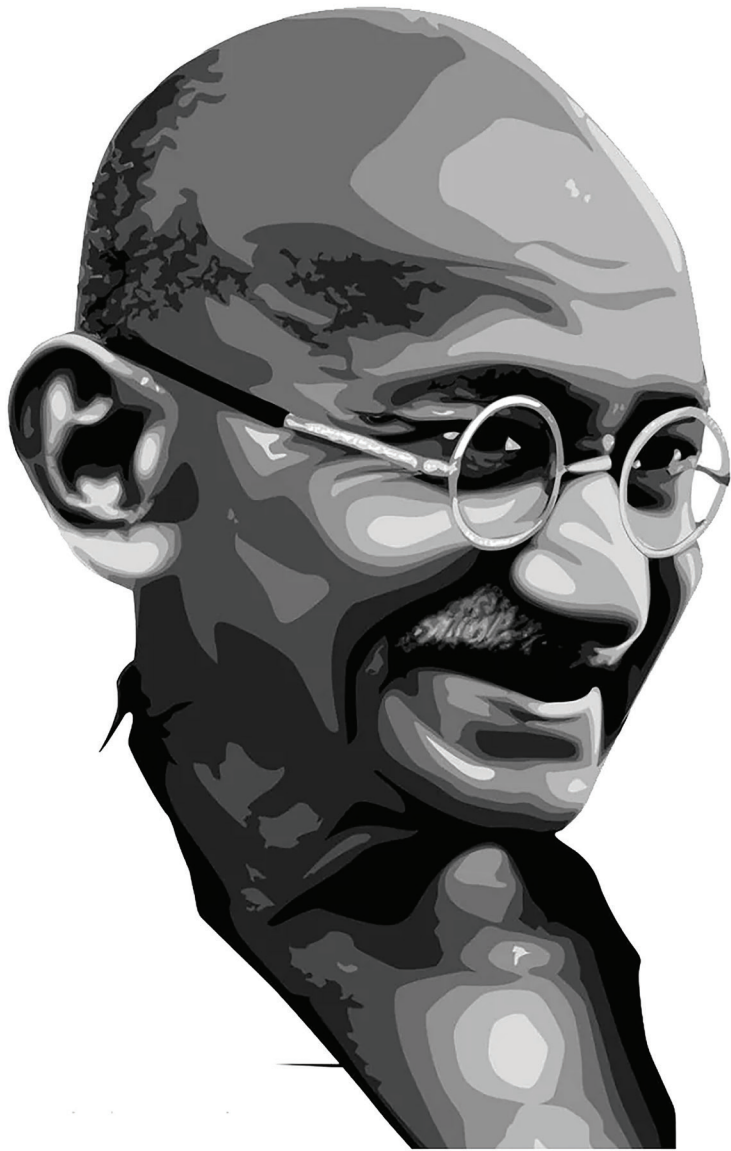
संवाद Newsletter

January - June, 2023 (VOL. : 01)

INTERNATIONAL YOGA DAY 2023 (21.06.2023)

To celebrate the “World Yoga Day” on 21st June 2023, a Yoga Camp was organised in the new building of High Court of Jharkhand in which the Hon’ble Judges, Registry members, officers and staff participated with great enthusiasm.






THE BEST WAY
TO FIND YOURSELF
IS TO LOSE YOURSELF
IN THE SERVICE
OF OTHERS

Allied Organs





“Government alone will never be able to do it. It is only the people themselves who must utilise law for the purpose of bringing justice at the doorstep of the large masses of the people of the country.”

Justice P.N Bhagwati





सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

The Jharkhand State Legal Services Authority, Ranchi (JHALSA)

“MAN KA MILAN PAKHWARA”

(An Intensive Campaign on Mediation) Organised From
29th May to 14th June, 2023

An Intensive Campaign on Mediation “*Man Ka Milan Pakhwara*” was organized from **29th May to 14th June, 2023** by all District Legal Services Authorities of State of Jharkhand under the aegis of Jharkhand State Legal Services Authority.

Under this campaign special awareness programmes on mediation were organized in all districts of Jharkhand. All DLSAs of Jharkhand through their Legal Aid Clinics, Front Offices and Mediation Centres organized this campaign and the common people were made aware about the importance of mediation.

A number of activities were took place during the aforesaid period such as:

- Awareness Programmes,
- Consultation
- Counselling
- Audio-Video display of success stories and awareness material on Mediation,
- Application for mediation and suggestions

During the fortnight campaign, many pending cases, family matters case and other matters were settled through mediation.

The Campaign “*Man Ka Milan Pakhwara*” proved to be very beneficial for the common people.

29 मई से 14 जून, 2023

मन का मिलन पखवाड़ा

परामर्श हेतु कब मिलें

मध्यस्थ से - प्रातः 7.00 बजे से दोपहर 12.00 बजे तक
पुलिस अधिकारी से - प्रातः 7.00 बजे से दोपहर 12.00 बजे तक
सचिव, जिला विधिक सेवा प्राधिकार से - प्रातः 7.00 बजे से दोपहर 12.00 बजे तक

Choose Mediation; Not Litigation!
मध्यस्थता अपनाएँ, समय, धन और संबंध बचाएँ!
“मध्यस्थता में सुलह, दोनों पक्षों की सफलता”

झारखण्ड राज्य विधिक सेवा प्राधिकार (झालसा)

29 मई से 14 जून, 2023

मन का मिलन पखवाड़ा

सभी जिला विधिक सेवा प्राधिकार कार्यालय में क्या होगा ?

- ✓ जागरूकता कार्यक्रम
- ✓ परामर्श सेवाएँ
- ✓ दृश्य-श्रव्य माध्यम से मध्यस्थता / लोक अदालत पर सफल कहानियाँ
- ✓ ललित अथवा सुकदमा-पूर्व स्तर के मामलों में आवेदन सुझाव

मध्यस्थता की विशेषता

- ✓ आपकी बातें पूर्णतः गोपनीय रहती हैं।
- ✓ मध्यस्थता में भाग लेना पूर्णतः आपकी सहमति पर निर्भर है।
- ✓ दोनों पक्षों के विवाद का समाधान मिलते हैं।
- ✓ समय, धन तथा व्यक्तिगत संबंध की रक्षा

परामर्श हेतु कब मिलें

मध्यस्थ से - प्रातः 7.00 बजे से दोपहर 12.00 बजे तक
पुलिस अधिकारी से - प्रातः 7.00 बजे से दोपहर 12.00 बजे तक
सचिव, जिला विधिक सेवा प्राधिकार से - प्रातः 7.00 बजे से दोपहर 12.00 बजे तक

Choose Mediation; Not Litigation!
मध्यस्थता अपनाएँ, समय, धन और संबंध बचाएँ!
“मध्यस्थता में सुलह, दोनों पक्षों की सफलता”

झारखण्ड राज्य विधिक सेवा प्राधिकार (झालसा)



**Data with regard to various Activities organized by all DLSAs of Jharkhand during
"Man Ka Milan Pakhwara" From 29th May to 14th June, 2023**

DLSA	Number of Activities	Number of persons given Consultation / Counseling Services. (By Mediator/ Police Officer / Secretary, DLSA)	Number of Pamphlets distributed	Number of applications received for Mediation	Total number of foot falls
Bokaro	235	1043	7625	564	11575
Chaibasa	51	2530	2945	9	3190
Chatra	116	151	1928	151	151
Deoghar	32	710	3285	134	4770
Dhanbad	50	957	3865	122	4564
Dumka	272	1170	6450	193	9750
Garhwa	117	289	13500	102	3943
Giridih	255	1035	1556	114	1726
Godda	204	15850	28350	37	36450
Gumla	70	863	1731	15	2352
Hazaribagh	49	895	6050	185	6730
Jamshedpur	384	1013	14824	388	16027
Jamtara	85	136	2605	48	2689
Khunti	186	199	3080	25	3187
Koderma	52	57	583	59	685
Latehar	296	843	1286	41	1109
Lohardaga	112	240	2943	18	1936
Pakur	88	272	6012	34	5912
Palamau	151	1057	5620	129	5795
Ramgarh	110	569	12500	21	1270
Ranchi	64	2111	14186	385	14020
Sahebganj	64	6902	2660	98	7120
Seraikella	224	3868	3868	26	9197
Simdega	117	628	3735	180	2419
TOTAL	3384	43388	151187	3078	156567



सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

**District Wise Statement of Special Mediation Drive for NI Act Matters from
20th to 24th February, 2023**

S.No.	Name of DLSA	No. of Cases Settled	Amount Settled
1	Bokaro	28	6603650
2	Chatra	6	1264200
3	Chaibasa	20	12919000
4	Dumka	11	1044093
5	Deoghar	3	686000
6	Dhanbad	21	2904900
7	Giridih	10	4055000
8	Godda	3	431038
9	Gumla	5	1452675
10	Garhwa	0	0
11	Hazaribag	4	535000
12	Jamshedpur	85	1159112
13	Jamtara	3	832000
14	Koderma	10	2272000
15	Khunti	0	0
16	Latehar	3	2301000
17	Lohardaga	3	2700000
18	Palamau	2	484426
19	Pakur	4	633000
20	Ranchi	106	29741168
21	Ramgarh	25	6710119
22	Sahibganj	2	225000
23	Seraikella	6	1319000
24	Simdega	2	240000
	Total	363	80512381



District wise Statement of Special Mediation Drive for Matrimonial and Family Matters held from 13th to 17th March, 2023

Sl No.	Judgeships	No. of Cases pending as on 31.01.2023	Initially referred cases in the Special Drive of Mediation	No. of cases settled	No. of cases in Which Mediation failed cases	No. of cases Which could not be taken up for non-turning up the parties	Total Connecting cases settled u/s 498A I.P.C., custody of children, cases related to domestic violence
1	Bokaro	1379	63	12	0	0	0
2	Chaibasa	79	14	4	20	0	0
3	Chatra	148	17	11	10	0	0
4	Daltonganj	734	71	4	0	0	0
5	Deoghar	866	105	28	5	78	0
6	Dhanbad	2126	128	35	20	84	0
7	Dumka	389	27	29	0	0	0
8	Garhwa	507	70	11	0	0	0
9	Giridih	1548	169	25	0	0	0
10	Godda	758	101	25	0	32	0
11	Gumla	81	8	4	11	0	0
12	Hazaribagh	454	55	4	0	0	0
13	Jamshedpur	2216	201	80	0	0	11
14	Jamtara	174	31	10	3	4	0
15	Khunti	18	6	0	0	0	0
16	Koderma	310	30	5	7	0	0
17	Latehar	124	13	4	0	0	0
18	Lohardagga	98	15	0	1	0	0
19	Pakur	334	30	10	0	0	0
20	Ramgarh	661	51	17	51	0	1
21	Ranchi	1960	148	53	0	0	13
22	Sahibaganj	554	59	24	0	0	1
23	Seraikella	292	31	9	1	0	0
24	Simdega	48	30	12	38	0	0
Total		15858	1473	416	167	198	26



सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

(OTHER EVENTS)

1. Implementation of Legal Aid Defense Counsel Scheme (LADCS) in all 24 Districts of Jharkhand.

LADCS is a Scheme of NALSA and it has been implemented in all 24 Districts of Jharkhand.

Jharkhand State Legal Services Authority under the aegis of National Legal Services Authority, organised "Engagement and Training Programme for newly selected Legal Aid Defence Counsels of Jharkhand and West Bengal" on 24th -25th January, 2023 at Visvesaraya Sanitation and Water Academy, Ranchi.

Total 142 Legal Aid Defence Counsels, 117 from Jharkhand and 25 from West Bengal participated in the said programme. The two day Training Programme was organised in different Sessions and was a grand success.

2. National Lok Adalat

As per calendar of NALSA, National Lok Adalat was organised across the state of Jharkhand by all DLSAs and HCLSC. The NLA was organized for settlement of cases such as Bank Matters, 138 NI Act, MACT Cases, Matrimonial Cases, Labour Disputes, Land Acquisition Cases, Revenue Cases, Railway Claims, Electricity, Petty Offences, Criminal Compoundable Cases, Civil Cases, Consumer Acts Cases, Municipal, Electricity and water Bills, Traffic Offences and Covered Matters, BCCL related matters etc.

The details of cases disposed off in the aforesaid National Lok Adalat are as under:

National Lok Adalat Data from 1.1.2023 to 30.6.2023

Month	Pre litigation cases		Pending Cases		Total Disposal	Total Amount Settled
	Taken up	Disposed	Taken up	Disposed		
Feb 2023	4,37,664	3,98,070	78,857	63,219	4,61,289	4,10,14,75,542
May 2023	7,73,965	7,21,437	80,693	66,632	7,88,069	6,56,82,92,745
Total	12,11,629	11,19,507	1,59,550	1,29,851	12,49,358	10,66,97,68,287

3. Extending large number of benefits of Welfare Schemes in National Lok Adalat apart from effective settlement of Pending as well as Pre-Litigation Cases in large number.

As per calendar of NALSA, National Lok Adalat was organised across the state of Jharkhand by all DLSAs and HCLSC. Apart from suitable nature of pending as well as pre-litigation stage matters, benefits of Govt. beneficial schemes was also taken

up in NLA held in May, 2023 and 102 Beneficial schemes covered to give benefits to 33,57,832 persons and the amount reached beneficiaries was 1042,58,42,886 rupees.

3. Strengthening Child Protection Eco System at grass root level by imparting Training of 192 Members of Village Level Child Protection Committees (VLCPC) in two batches on 3rd to 4th June, 2023 and 8th to 9th July, 2023 from JHALSA.

With a view to ensuring protection of child rights and all round development of children in general and Children in need of Care and Protection in particular, JHALSA took initiative for strengthening of Village Level Child Protection Committee (VLCPC),



In association with Department of Women Child Development and Social Security, Govt. of Jharkhand and Kailash Satyarthi Children's Foundation and its partner Bachpan Bachao Andolan, it also organized training of 192 Members of Village Level Child Protection Committees (VLCPC) in two batches (each batch consists of 96 participants) on 3rd to 4th June, 2023 and 8th to 9th July, 2023 at JHALSA in Virtual Mode. Nominated members of VLCPC from three districts namely Ramgarh, Ranchi and Khunti had attended the aforesaid training in physical mode at JHALSA and participants of rest districts had attended the training in virtual mode from the DLSA office of the respective district.



सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

4. 40 Hours Mediation Training Programme

With an objective to be future ready (in anticipation of great influx of cases after coming into force of the Mediation Act), Jharkhand State Legal Services Authority (JHALSA), under the aegis of the Mediation and Conciliation Project Committee (MCPC) of the Supreme Court of India, organised 40 hours. Intensive Mediation Training Programme for the Experts or other professionals with at least 15 years of standing ; or retired senior bureaucrats or retired senior executives total 46 persons in two batches at Nyaya Sadan, JHALSA, Ranchi.





The Judicial Academy Jharkhand, Ranchi

Judicial Academy Jharkhand: An Institute for Excellence in Training

Judicial Academy, Jharkhand, is efficiently fulfilling the objectives of Judicial Training by developing skills, Knowledge, work culture, discipline and attitude among the newly appointed Judicial Officers, In service Officers, Executive Officers, Police Officers, Ministerial staffs and other stake holders through scientifically designed training courses, under the guidance of NJAC (National Judicial Academic Council) since its inception from 4th January, 2002.

Judicial Academy, Jharkhand, organizes Training programme for all the stake holders as per annual approves by the Governing body headed by Hon'ble the Chief Justice of High Court of Jharkhand. Present Academic calendar of 2022-23 contains altogether 52 activities of training under different heads mentioned herein below:

1. Refresher Training Programmes : 17
 2. State-Level Conferences : 03
 3. Regional Conferences at their headquarter : 06
 4. Workshops : 04
 5. Online CIS Hands on Training Programmes : 06
 6. Refresher Trainings for High Court Assistant : 04
 7. Refresher Trainings for Ministerial staffs of District Court : 04
 8. Online Exams (Group A + Group B) : 08
- i. From January, 2023 to June, 2023, Judicial Academy, Jharkhand has conducted total 29 courses involving 3542 participants consisting of Judicial Officers, Executive Officers, Advocates, Police Officers, Ministerial staff, Law students and Advocate clerks through offline & online modes. Details of Training Programme for Judicial Officer and Ministerial staffs & ICT Training programmes are follows:

Sl. No.	Name of Training	Target Group	No of days	Date	No of participants
1.	Refresher Training Programme for Civil Judge (Jr. Div.) in Civil Trial with CIS Training	Civil Judge (Jr. Div.)	02 days	7 th - 8 th January 2022	88



Sl. No.	Name of Training	Target Group	No of days	Date	No of participants
2.	ICT & e-Courts Induction Programme for the newly	Newly appointed Civil Judges	01 day	22 nd January, 2023	93
3.	Civil & Criminal Court Rules of relevant provision of C.P.C. & Cr. P.C. with CIS Training	Assistant of District Courts	01 day	22 nd January, 2023	417
4.	One day online "Programme for Technical staff of High Court Hardware & Software maintenance, Data Replication, Data monitoring, VC equipment, LAN Connection etc (ECT_10_2022)	Technical Staffs of High Court	01 day	29 th January, 2023	75
5.	Online Programme on the Guidelines issued by the Supreme Court in Suo Motu Writ Petition (Cr.) No.4/2021	Judicial Officers form the cadre of District Judges, civil Judge (Sr. Div.), Civil Judge (Jr. Div.)	02 days	30 th -31 st January, 2023	122
6.	One day online " Programme for Technical staff of District Courts Hardware & Software maintenance, Data Replication, Data monitoring, VC equipment, Lan Connection etc. (ECT_11_2022)	Technical Staffs of District Court	01 day	12 th February, 2023	55 At JAJ
7.	Refresher Training Programme for Civil Judge (Jr.Div.) in Civil Trial with CIS Training	Civil Judge (Jr.Div.)	02 days	25 th -26 th February, 2023	82
8.	One day Training of Advocates / Advocates' Clerks on e-courts Programme ECT_04_22	Advocates / Advocates' Clerks	01 day	11 th -12 th March, 2023	119



Sl. No.	Name of Training	Target Group	No of days	Date	No of participants
9.	One day online "Programme for Court Managers & Administrative Head Staff of District Judiciary (ECT_5_2022)	Administrative Assistant	01 day	12 th March, 2023	104
10.	Refresher Training Programme for Accountant & Asst. Accountant of District Courts with CIS Training	Accountant & Assistant Accountant	01 day	18 th March, 2023	62
11.	One day Online 'Refresher Training Programme for Registry Staffs of High Court'(ECT_15_2022)	for Registry Staffs of High Court	01 day	19 th March , 2023	100
12.	Refresher Training Programme for Head Clerks of the District Courts	Head Clerks of the District Courts	01 day	26 th March , 2023	85
13.	Online CIS Hands-on Training for officers of District Judge Cadre	District Judge	01 hour	01 st April, 2023	151
14.	Online CIS Hands-on Training for Officer of Civil Judges (Sr. Div.) Cadre	Civil Judge (Sr. Div.)	01 hour	15 th April, 2023	149
15.	Refresher Training Programme on Criminal Laws for Civil Judge (Jr. Div.) half of the cadre (1st batch)	Civil Judge (Jr. Div.)	02 days	15 th -16 th April, 2023	83
16.	Refresher Training Programme on Criminal Laws for Civil Judge (Jr. Div.) Half of the cadre (2nd batch)	Civil Judge (Jr. Div.)	02 days	19 th April, 2023	83
17.	Refresher Training Programme for Commercial Courts	District Judges & Civil Judges (Sr. Div.) who are presiding Commercial courts	01 day	28 th May, 2023	A. Dj. : 23 Civil Sr.Div.: 24 Total: 47
18.	Refresher Training on Civil Trail for Civil Judge (Sr. Div.)	Civil Judge (Sr. Div.)	02 day	03-04 th June, 2023	70



सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

Sl. No.	Name of Training	Target Group	No of days	Date	No of participants
19.	Online CIS Hands on Training for officers of Civil Judge (Jr. Div.) Cadre	Civil Judge (Jr. Div.)	01 day	03 rd June, 2023	190
20.	Refresher Training on Sessions Trial for District Judge	District Judge	02 days	25 th -26 th June, 2023	47
21.	Training Programme for Ministerial Staff of District Headquarter	Assistant of District	01 day	25 th June, 2023	597



Refresher Training Programme for Registrar/Judge I/c of District Courts and sub-Divisional Courts

- ii. In this Academic year, Judicial Academy has to conduct altogether 13 Conferences, Workshops and Seminars. Out of that the Academy has conducted the following Conferences & Seminars from January to June, 2023:



Sl. No.	Name of Training	Target Group	No of days	Date	No of participants
1.	State Level Judicial Colloquium on Anti Human Trafficking	Judicial Officer, S.P, Labour Superintendent, Dy.S.P. (CID), Dy.S.P. Juvenile, Prosecutor, Member & Chairperson CWC, Community Resource persons	01 day	14th January, 2022	233
2.	Interdisciplinary Conference relating to Mines, Minerals & Forest Law	Judicial Magistrate Mining Officer Forest Officer	01 day	5th February, 2023	J.O: 49 Mi .O: 23 F. O: 56 Total:128
3.	Conference on the Role of Court and Prosecution in CBI Cases	Addl. Sessions Judges including C.B.I., Vigilance and A.C.B. Judges and Public Prosecutors/Addl.P.P./ Special P.P. in court of C.B.I., Vigilance, A.C.B. etc.	01 day	19th February, 2023	P.P 17 J.O. 39 Total : 56
4.	Conference on Role and challenges of Labour Courts,	Presiding Officers, Labour Court and District Judges-cum-Additional Sessions Judges and Officers of Labour	01 day	26th March, 2023	44
5.	1st Regional Conference at cluster 01 at Ranchi (HQ) for the District of Ranchi, Lohardagga, Gumla, Khunti, Simdega	Judicial Officers of all the cadres posted at Judgeship	01 day	21st May, 2023	Rachi : 42 Gumla: 05 Lohardagg: 08 Khunti:04 Simdega: 03 Total : 62
6.	2nd Regional Conference at Cluster 02 at Dumka for the District Dumka, Deoghar, Madhupur (sub. Div.), Jamtara, Sahebganj, Rajmahal, Pakur, Godda	Judicial Officer, Public Prosecutor, Advocate, Police officer	01 day	18th June, 2023	P.O- 23 Advocate: 23 Public Prosecutor : 22 Total : 142



Conference on Crime against women & Human Trafficking



State Level Judicial Colloquium on Anti Human Trafficking



OTHER PROGRAMMES

The Academy is proud and privileged to host two International Programmes during this period. In January 2023, TOT on Counter Terrorism was organized a by NJA at the Academy in collaboration with CEELI Institute, Prague and FJC, Washington DC. In the month of March 23, the Academy conducted special Training course of 05 days for 49 Judicial Officers from different cadre of Bangladesh Judiciary.

Sl. No.	Name of Training	Target Group	No of days	Date	No of participants
1.	2nd TOT on Counter Terrorism organized a by NJA at the Academy in collaboration with CEELI Institute, Prague and FJC, Washington DC	Judicial Officers from Indian Judiciaries	02 days	28th -29th January, 2023	09
2.	Training Programme for Bangladesh Judicial Officers and Judges	Judicial Officer and Judges	05 day	19th March, 2023 to 23rd March 2023	49





2nd TOT on Counter Terrorism organized a by NJA at the Academy in collaboration with CEELI Institute, Prague and FIC, Washington DC



Training Programme for Bangladesh Judicial Officers and Judges



The Jharkhand High Court Legal Services Committee

A brief look on the National Lok Adalats organized by the Jharkhand High Court Legal Services Committee, Ranchi in the year 2023.

The Hon'ble Executive Chairman, National Legal Services Authority, New Delhi approved the Calendar for National Lok Adalat during the year 2023, as under:-

1.	1 st National Lok Adalat	11 th February, 2023
2.	2 nd National Lok Adalat	13 th May, 2023
3.	3 rd National Lok Adalat	09 th September, 2023
4.	4 th National Lok Adalat	9 th December, 2023.

Pursuant thereto, the Jharkhand High Court Legal Services Committee, Ranchi as of now has organized two National Lok Adalats in the year 2023 and the outcome of each National Lok Adalat is as follows:-

1st National Lok Adalat held on 11th February, 2023.

1st National Lok Adalat was organized by the Jharkhand High Court Legal Services Committee, Ranchi in the premises of Jharkhand High Court, Ranchi on 11/02/2023.

For this National Lok Adalat, three benches were constituted by the Hon'ble Chairman, JHCLSC, Ranchi, each Bench consisting of one Hon'ble Judge of the High Court of Jharkhand, Ranchi and an Advocate Member.

Altogether 253 cases relating to criminal compoundable, Motor Accident Claim cases and service matters relating to pay and allowances and retiral benefits pending in the Jharkhand High Court, Ranchi were taken up and a total number of 110 cases were settled. Total settlement amount was Rs. 30023448/-.

28 pre-litigation matters relating to the Coal Company were also settled and appointment letters were handed over to the beneficiaries.





सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)



2nd National Lok Adalat held on 13th May, 2023.

2nd National Lok Adalat was organized by the Jharkhand High Court Legal Services Committee, Ranchi in the premises of Jharkhand High Court, Ranchi on 13/05/2023.

For this National Lok Adalat, four benches were constituted by the Hon'ble Chairman, JHCLSC, Ranchi each Bench consisting of one Hon'ble Judge of the High Court of Jharkhand, Ranchi and an Advocate Member.

Altogether 200 cases relating to criminal compoundable, Motor Accident Claim cases and service matters relating to pay and allowances and retiral benefits pending in the Jharkhand High Court, Ranchi were taken up and a total number of 103 cases were settled. Total settlement amount was Rs. 13198288/-.

10 pre-litigation matters relating to the Coal Company were also settled and appointment letters were handed over to the beneficiaries.





सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

THE E- COURT PROJECT STATUS REPORT

Technological Accomplishments during the period 01.07.2022 to 30.06.2023

1. E-filing 3.0:

E-filing Version 3.0 software has been launched and made live in High Court of Jharkhand as well as in the District Courts of Jharkhand. It has provision for filing of plaints, written statements, replies and various applications related to cases online.

2. E-payment:

Provision for online payment of Court fees, fines, penalties and Judicial Deposits has been initiated through <https://pay.ecourts.gov.in/> in High Court of Jharkhand as well as in the District Courts of Jharkhand.

3. Judgment/Order Template:

A module has been developed in-house and integrated in CIS for automatic generation of structure of Order/Judgment by fetching the details such as the Petitioners/ Respondents, Advocates, Coram etc., eliminating the need of manually typing these details.

4. Virtual Justice Clock:

Virtual Justice Clock, which is an initiative of e-Committee, Hon'ble Supreme Court of India for display of case institution and disposal rate in Sub-ordinate Courts, has been implemented in Jharkhand and link for the same is available in official website of High Court of Jharkhand.

5. Supply of new Hardware items for Court Rooms/ Court Complexes:

New Hardware items such as Flat bed Scanners, High speed Scanners, Camera with Speakers and MIC have been procured for Court Rooms/ Court Complexes of the State of Jharkhand under phase II of the e Courts Project.

6. Hybrid VC Solutions:

Video Conferencing facility in Hybrid mode is already available in the High Court of Jharkhand.

7. Auto verification Portal for advocates:

The list of all registered advocates of the State of Jharkhand along with contact details was communicated to the e-Committee, Hon'ble Supreme Court of India for



entering in the NJDG. Whenever an advocate registers for e-Filing his/her details are fetched from NJDG and auto-verified. In case of advocates whose names are not in the NJDG list, the same is verified through OTP.

8. KIOSK Machines:

In order to extend the Citizen Centric Facilities to the common mass, total 28 numbers of Information Kiosk have been installed in all the District & Sub-divisional Court Campus.

9. S.M.S Facility:

All the District Courts of the state including the High Court are providing information regarding the case status to the litigants and lawyers on the mobile numbers registered in CIS Software. Case status is being sent automatically to the registered Advocates and litigants through SMS.

10. Connectivity :

BSNL WAN, Lease line and VPN over broadband connectivity have been provided to the various District and Sub divisional Courts of the State of Jharkhand, utilizing which data are being uploaded in the NJDG website and also SMS services are being carried out.

11. NSTEP:

National Service and Tracking of Electronic Processes (NSTEP) has been implemented in the State of Jharkhand. Bailiffs/Process Servers have been provided with Smartphone Page 1 of 3 with JIO connectivity in this regard.

12. ICJS:

Inter-operable Criminal justice System (ICJS) has been rolled out in all the District Courts of State of Jharkhand.

13. VC facility:

213 & 82 studio based VC system have been installed in Courts and Jails respectively while 28 Desktop VC systems each have been installed in Courts and Jails respectively. "High Court of Jharkhand Rules for Video Conferencing for Courts, 2020" has been notified through Gazette notification to consolidate, unify and streamline the procedure relating to use of video conferencing for Courts.

14. Online view of Defective filing:

A software has been developed for convenience of the Advocates/Litigants and a module for online view of defective filing has been provided in High Court of Jharkhand website to view online the defects of their filed cases. Recently, a software regarding further Stamp Reporting for the second time has been developed and module of this is available on the High Court of Jharkhand website for online viewing.



सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

15. Online Certified Copy:

A software for instant online apply for certified copy of Order and Judgement and its payment has been developed for High Court.

The following In-house applications have been developed by CPC Office:

a. Data Bank:

An in-house module has been developed for keeping accumulated database of ready pending cases for listing the cases before respective Benches centrally as per requirement. In this regard, a separate periphery has been developed for entering of ready pending cases by the concerned sections. Provision for listing the cases Bench wise, nomenclature wise, subject wise Page 2 of 3 and year wise as per direction of Benches has been made in the Data Bank module.

b. Software for maintaining the data of Judicial Officers:

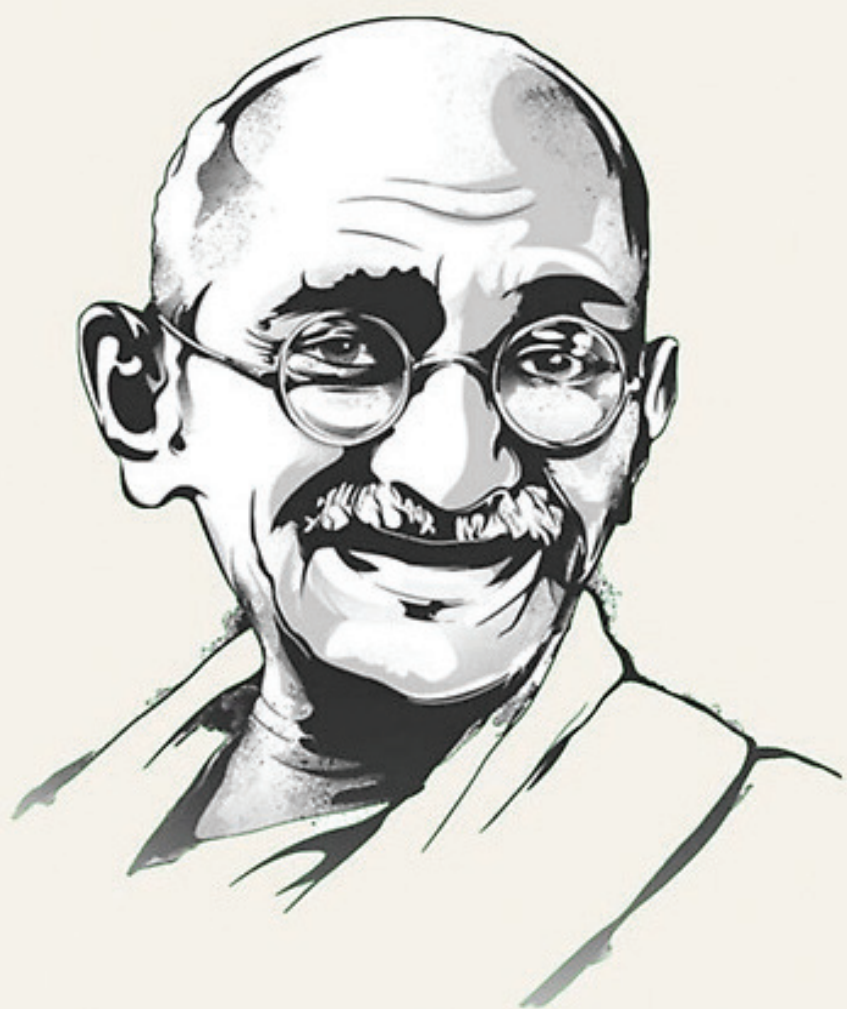
An application has been developed that can manage state Judicial Officer's Bio data. The details are also available in the website of High Court of Jharkhand. The salient features of this software include modification of Judicial Officer's profile, entry of information pertaining to Transfer, promotion and training of officer cadre-wise and generation of report under various headings.

c. Vigilance Software:

An In-House application has been developed with an objective to maintain data of the impartial assessment of the character, conduct, capabilities and performance of the Judicial Official throughout the year. The salient features of this software are that it maintains useful and critical analysis of the qualities as well as the short-comings of the Judicial Officers ensuring that complete privacy is maintained for the Reporting Authority, Reviewing Authority and Accepting Authority.

16. Digitization software

- i. The work of scanning/digitization/storage and integrated retrieval of case files in the High Court of Jharkhand, Ranchi for Paperless Court is being done by the agency M/s Datasoft Computer Services (P) Ltd., Delhi which is in-progress.
- ii. The agency M/s Datasoft Computer Services (P) Ltd., Delhi has developed Document Management System Application Software for the purpose of scanning/digitization/storage and integrated retrieval of case files in the High Court of Jharkhand, Ranchi for Paperless Court which under testing and awaited for approval from the Hon'ble Committee of the Court.



**"Happiness is when what you
think, what you say, and what you
do are in harmony"**

MAHATMA GANDHI

Significant Judgments





*“Truth cannot be
suppressed and always is
the victor.”*

The Yajur Veda



***Inordinate delay in initiation of departmental proceeding:-*****Coram: Hon'ble The Chief Justice Sanjaya Kumar Mishra and Hon'ble Mr. Justice Rongon Mukhopadhyay***Jyotshna Singh vs. State of Jharkhand & Ors.**L.P.A. No. 467 of 2022*

Jharkhand Government Servants (Classification, Control and Appeal) Rules, 2016- Rule 14(VI) - An intra court appeal preferred by the Appellant against order dated 09.09.2022 passed by Learned Single Judge in W.P. (S) No. 2005 of 2020. Writ petition before the learned Single Judge against punishment for withholding three increments with cumulative effect imposed upon the petitioner was dismissed. Learned counsel for the appellant assailed the order passed by the learned Single Judge dismissing the application mainly on the ground that it took almost 10 years for initiation of proceeding by drawing of charge-sheet against the writ petitioner. Considering the cumulative effect of the not framing of charge regarding any defalcation by the appellant, non examination of any of the witness to prove the case of the petitioner, awarding punishment exceeding the charge-sheet submitted against the appellant and the inordinate delay of about 10 years in initiating a departmental proceeding vitiates the departmental proceeding- order of learned Single Judge set aside.

Writ petition is maintainable even if there is an efficacious and alternative remedy available to the petitioner:-**Coram: Hon'ble The Chief Justice Sanjaya Kumar Mishra and Hon'ble Mr. Justice Ananda Sen***Amarnath Pandey vs. The Bank of Baroda & Ors**W.P. (C) No. 5360 of 2021*

Section 17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 - Maintainability of writ petition in view of the fact that the petitioner has an alternative efficacious remedy of approaching the Debts Recovery Tribunal under SARFAESI Act - Whether a writ of mandamus can be issued, directing the Bank to refund the money to the petitioner along with admissible interest. Held that the principle of not entertaining the writ application under Article 226 of the Constitution, in case of availability of efficacious and alternative remedy, is internal restrain created by the courts and there is no such provision anywhere in the Constitution of India or any other statute. Therefore, a writ Court should in appropriate case, entertain a writ application even if there is an alternative and efficacious remedy. Writ petition held maintainable and bank to refund the money along with interest at the rate of 6 per cent per annum.



Non-Grant of retiral benefit due to inability to meet the financial obligation by the state instrumentalities for their own employees:-

Coram: Hon'ble The Chief Justice Sanjaya Kumar Mishra and Hon'ble Mr. Justice Ananda Sen

**Baibhaw Gahlaut vs. State of Jharkhand and Others.
W.P. (PIL) No. 2266 of 2021 along with other Writ Petitions**

A bunch of the writ petitions and the Public Interest Litigation have mainly espoused one genre of grievance i.e. the inability of the Sahibgnaj Municipality, Jharkhand Minor and Mineral Area Development Authority (MADA), Palamau Zila Parishad and the Urban Development Department and similarly situated public utility, to meet their obligations towards their retired employees. The petitioners are the retired employees of these institutions, which are, in essence, instrumentalities of the State. These institutions are at present not financially viable to pay the retiral dues and family pensions of the petitioners. It is held that Retiral benefit is not largesse, actually it is the right of the employees to get retiral benefits and disposed of the bunch of writ petitions including W.P. (PIL) directing the State of Jharkhand to bring out a scheme within a period of six months hence to redress the grievances of these petitioners and similarly situated persons in the State, so that their retiral dues and family pensions can be paid to them in time.

Maintainability of Letters Patent Appeal under Clause 10 of Letters Patent Rules of Patna High Court in exercise of Criminal Jurisdiction:-

Coram: Hon'ble The Chief Justice Sanjaya Kumar Mishra and Hon'ble Mr. Justice Ananda Sen

**Prafulla Kumar Samal Versus The State of Jharkhand and Others.
L.P.A. No. 418 of 2022**

The simple question in this Letters Patent Appeal is whether an intra-court appeal shall lie from a judgment / order passed by learned Single Judge in exercise of criminal jurisdiction. A Hon'ble Division Bench of this Court held that while exercising the power under the Letters Patent, it is imperative to see what is the nature of jurisdiction that has actually been provided in the Letters Patent. It is not disputed at this stage and also it is trite law that appeal is always a creature of statute. Since Clause 10 does not provide for an appeal against an order passed by the Single Judge in exercise of criminal jurisdiction, this Letters Patent Appeal is not maintainable. Therefore, it is dismissed.



सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

Evidentiary value of Solitary Eye Witness:-

Coram: Hon'ble The Chief Justice Sanjaya Kumar Mishra and Hon'ble Mr. Justice Rongon Mukhopadhyay

**Chhote Lal Mohli & Ors. Vs. The State of Bihar (Jharkhand).
Criminal Appeal (D.B.) No. 185 of 1994 (P)**

Sections 147, 323, 379, 411, 302/34 of Indian Penal Code - Appellants convicted and sentenced to undergo imprisonment for life under section 302/34 of the Indian Penal Code on the evidence of solitary witness. Held -in a case where a solitary witness is coming forth to state about the incident, and the witness being a relation of the deceased who was having inimical relation with the accused persons cannot be termed as a wholly reliable witness and his evidence if relied upon to record a conviction needs to be supported by independent-circumstantial or other evidences available on the records. It is always appropriate for a criminal court to consider the evidence of a solitary eyewitness who is supporting the case of the prosecution on the anvils of objective circumstances. In that view of the matter, this Court is of the opinion that there is enough and reasonable doubt in complicity of the surviving appellants in commission of the offence of murder punishable under Section 302/34 of the I.P.C. Appeal is allowed.

Chota Nagpur Tenancy Act, 1908 and the Constitution of India:-

Coram: Shree Chandrashekhar, Ratnaker Bhengra, JJ.

**State of Jharkhand vs. Tata Steel Limited
LPA-27 of 2008 (Decided on 12/01/2023)**

- (A) Constitution of India, Art.226- Writ jurisdiction - Declaration by Writ Court that surface rights of leasehold property shall vest in lessee – Validity of grant of mining lease by State for period of 999 years was in question - Portion of lands covered under mining lease were settled by State in favour of villagers - No dispute raised by lessee that settlements made by State over some portions of lands and even adjoining areas were not under its use and occupation – the lessee pleaded that settlements made by State made it difficult to carry on mining operations - Whereas State pleaded that lessee did not hand over possession of leasehold lands which were already worked over - It clearly shows that there was serious dispute of facts between parties - In fact, lessee did not seek any declaration as regards surface rights over entire leasehold area - But writ Court ignored every objection of State and held that State has leased out its rights over surface land in favour of lessee - There was no foundation laid in writ petition and lessee did not even seek declaration that surface rights shall vest in it - Declaration by writ Court liable to be set aside. CWJC No. 363 of 1997(R), D/-31-08-2007 (Jha)-Reversed. (Para 67, 69)



- (B) Constitution of India, Art.226 - Writ jurisdiction - Disputes relating to interpretation of covenant in indenture and declaration about rights of party on such interpretation cannot be agitated in petition under Art. 226. (Para 72)
- (C) Chota Nagpur Tenancy Act (6 of 1908), S.64 - Settlement of land - Directions for scrutiny and verification of land settlement by executive officer and cancellation of settlement of leasehold land if found illegal, by Writ Court - Validity - Settlement made by State in favour villagers/ settlers cannot be examined and decided in summary manner that too by executive officer as directed by Writ Court - Dispute of this nature can be resolved only in proceeding before Civil Court - where parties by leading evidence may prove fact - Writ Court cannot devise separate mechanism or create forum for adjudication of disputes arising from contract - Writ Court by creating extra-statutory authority which shall exercise powers of Civil Court had committed serious error in law - Directions issued by Writ Court by keeping at bay every requirement of law, set aside. (Para 77).

CWJC No. 363 of 1997(R), D/-31-08-2007 (Jha)-Reversed
Chota Nagpur Tenancy Act, 1908:-

Coram: Shree Chandrashekhar, Ratnaker Bhengra, JJ.

M/s Tata Steel Ltd. vs. State of Jharkhand & Ors.
LPA Nos. 227 and 236 of 2012 (Decided on 14.3.2023)

Chota Nagpur Tenancy Act, 1908, Section 90 - Challenge to order passed by Assistant Settlement Officer u/s 90 in application filed for correction in the record of rights by daughter-in-law of the recorded raiyat – thereafter, Government of Jharkhand has decided to release the subject-property in favour of said daughter-in-law-subject property was leased to appellant and it regained the property pursuant to order passed earlier u/s 50 - plea that orders passed u/s 50 and by Patna High Court in the writ petition filed by the Tata Steel shall constitute res-judicata and the application filed by the legal heir and successor of the recorded tenant u/s 90 was barred in law-plea also that u/s 90, an issue pertaining to right, title and interest of the parties over the subject-property could not have been adjudicated and decided by the Assistant Settlement Officer, and orders passed by State of Jharkhand for release of the subject-property are patently illegal – possession of the properties was given to the representative of the Tata Steel in absence of recorded tenant and even the proceeding w/s 50 was taken out in his absence - Observation by Patna High Court in earlier writ petition that the rights of the raiyat had extinguished is not a finding of fact based on any legal evidence and, moreover, is not the ratio decidendi of that case - therefore, said order shall not constitute res judicata and thereby preclude the Assistant



Settlement Officer to entertain the application filed u/s 90 by descendant of the recorded raiyat - plea also that recorded tenant was in permissive possession over the subject-property and by virtue of provisions u/ss. 7D and 7E of BLR Act the Tata Steel became statutory lessee under the State of Bihar - there is a specific stipulation in the lease-deeds executed by State of Bihar in the favour of Tata Steel that occupancy rights acquired by the agricultural tenants before the commencement of BLR Act are not covered under said lease-deeds - earlier orders passed in the proceeding in which the Tata Steel was delivered possession do not establish that the Tata Steel came in actual physical possession over the subject-property - there is no other material produced by the Tata Steel that it was in khas possession over the subject-property at the time when the BLR Act came into force-writ Court rightly refused to interfere with the order passed by the Assistant Settlement Officer u/s 90. (Paras 17, 20, 22, 23, 28, 31, 38, 40, 45, 47, 49, 54 and 55).

Chota Nagpur Tenancy Act, 1908 - Section 90 - the power of the Deputy Commissioner or Revenue Officer of correcting a mistake in the record of rights is not akin to any ministerial function and not confined to mere typographical errors - an authority which can exercise any statutory power on his own and is required to conduct an enquiry into the matter would have powers to refer to the previous proceedings between the parties before the Revenue Authorities or in a Court of law and the authority shall be entitled to record a finding of fact through inferences drawn from the previous proceedings between the parties (Para 40).

Constitution of India - Article 226 - Chota Nagpur Tenancy Act, 1908 – certiorari - the power u/Art. 226 is plenary and without any fetters - High Court while sitting in the writ jurisdiction is required to consider all relevant facts to satisfy itself whether any relief can be granted and shall not be swayed away by any issue howsoever contested that may be - Tenancy Act provides a statutory regime and is a complete code in itself - the findings of fact recorded by the statutory authority under the Tenancy Act are binding on the parties except where such findings of fact are not based on legal evidence or are contrary to the records - the writ Court in exercise of its powers u/Art. 226 shall not embark upon an exercise to test legality of the order passed by a statutory Authority under the Tenancy Act, except where the order is challenged on the ground of lack of jurisdiction - even so, a plea based on jurisdictional error committed by a statutory Authority under the Tenancy Act may not invite exercise of the powers u/Art. 226- for, a certiorari shall not lie to correct every error of fact or law and the writ Court shall be sort of denuded of its powers to enter into any such controversy - the writ Court shall refrain from exercising its powers u/Art. 226 in a matter which necessarily does not involve infraction of a constitutional or statutory right of the aggrieved party - the limitation on powers of the writ Court to issue a writ of certiorari is that the findings of fact recorded by the inferior Court or Tribunal cannot be reopened or questioned in a writ proceeding.



Jharkhand Control of Crimes Act, 2002:-

CORAM: SHREE CHANDRASHEKHAR, RATNAKER BHENGRA, JJ.

Prakash Chandra Yadav @ Mungeri Yadav vs. State of Jharkhand & Ors.

LPA No. 568 of 2022 (Decided on 02.3.2023)

Jharkhand Control of Crimes Act, 2002 - Sections 12 and 12-A - Preventive detention - Detention order can be sustained so long as one valid ground is found amongst grounds mentioned in order of detention - Mere mention of expression "law and order" in detention order shall not make order illegal or invalid - This is not a requirement in law that all internal communications or file-noting must be supplied to detenu - What is necessary in cases of preventive detention is that all such materials on the basis of which detaining authority has recorded his satisfaction should be supplied to detenu. (Para 12, 13, 17 and 18).

Preventive detention - Allegation of mala fide levelled against authority for passing order supposedly with malice in mind of authority can only be made by laying factual foundation in pleadings - There is presumption in law that power has been exercised bona fide and in good faith - Burden of proving mala fides is very heavy and proving of such facts is always on person making allegation - District Magistrate is competent authority to pass detention order - There cannot be any allegation of mala fide against authority which has passed order under challenge by merely using expression mala fide or malice - High Court in exercise of power under Letters Patent cannot go beyond what Writ Court could have done - It is not every error in law or of fact which would warrant interference by Letters Patent Court to Writ Court's decision - Intention of Parliament to authorize abrogation of liberty of a person at discretion of Central/State Government is implicit in Article 22 of Constitution - LPA dismissed.

Constitution of India

CORAM: SHREE CHANDRASHEKHAR, J.

Rajesh Kacchap & Ors. vs. State of Jharkhand

through Secretary, Department of Home, Jail & Disaster Management & Ors.

W.P. (Cr.) No. 483 of 2022 (Decided on 03.3.2023)

Constitution of India - Article 226 - prayer seeking transfer of investigation to any independent investigating agency is adjudicated having regard to apprehension of the accused of a biased investigator or investigation and any discussion thereon even though touching upon the jurisdictional issue shall not be conclusive and binding upon the parties - prayer for bail or transfer of the investigation is necessarily interlocutory in nature - principle of "cause of action estoppel" can be applied where an issue of fact has been tried by a competent Court on a former occasion and a finding has been rendered by the Court on that issue of fact. (Para 11).



Constitution of India - Article 226 - Code of Criminal Procedure, 1973 - Section 178 to 181 –quashing of FIR - territorial jurisdiction - challenge to registration of zero FIR at Ranchi on the complaint and transmission thereof to the police station in West Bengal - first PS Case was registered in Ranchi and is still pending investigation, and after about one year, complainant filed complaints to another police station at Ranchi which was registered as zero FIR - later police at West Bengal seized a car in which cash was seized and some persons including petitioners sitting in the car were detained and zero FIR was sent to police station in West Bengal-petitioners and complainant are sitting MLAs of Jharkhand Legislative Assembly-a cause of action which gives jurisdiction to the Court is ascertained on the basis of the statements in plaint/complaint, irrespective of its truthfulness or falsity - plea of respondents that High Court, Calcutta shall only have jurisdiction in the matter-no law that merely because a person was arrested at a particular place, the Court within the local jurisdiction of which the person was arrested shall only have jurisdiction-the legal recourse by the petitioners in the Courts at Kolkata during the transitory period shall not divest High Court, Jharkhand of the jurisdiction to entertain present writ petition-mere arrest of petitioners or any other subsequent proceeding taken out by police in West Bengal would not change the nature of crime suspected in first PS Case registered at Ranchi-High Court, Jharkhand has jurisdiction to examine, whether registration of zero FIR is legal or illegal, whether or not the same is barred in law, and whether a second FIR could have been registered at another PS on the basis of the complaint-writ petition in the present form is maintainable and the High Court of Jharkhand has jurisdiction to deal with the subject-matter.

Code of Criminal Procedure, 1973 - Section 154 - second FIR - a transaction may happen in different parts with intervals of time between two offending acts but separate FIRs cannot be registered for each offending acts - the Code does not sanction registration of second FIR even where incidents have taken place in two or more parts - expression “live link”, “live nexus” and “close proximity of time” have been used in the context of continuity in the offending acts/actions - the provision of law under which two FIRs are lodged is not the determinative factor to decide whether second FIR is permissible or not - similarly, the name and number of the accused in both FIRs are not relevant considerations in cases of criminal conspiracy - to test the legality of lodging of second FIR, what is relevant to examine is nature of the crime suspected in first FIR and whether the offence alleged in second FIR is part of or consequence of the crime suspected in the former FIR - the test of “sameness” is not decided by counting the accused or counts of the crime alleged in both the FIRs.

Constitution of India - Article 226 – quashing - FIR - first PS Case was registered in Ranchi and is still pending investigation, and after about one year complainant filed complaints to another police station at Ranchi which was registered as zero FIR - later



police at West Bengal seized a car with cash and petitioners sitting in the car were detained and zero FIR was sent to police station in West Bengal officer in charge of police station where complaint was made, was under a statutory duty to treat both the complaints as his further statements made in course of the investigation of first PS Case but he has acted contrary to the procedure mandated under the law and decision to register zero FIR is an action in breach of the provisions under the Code - further, second complaint could not have been transmitted to the police station in West Bengal - the registration of zero FIR and transmission thereof to police station held illegal and without authority of law and thus actuated with malice in law -both complaints are further statements made u/s 161, Cr.P.C. in connection to first PS Case and the incident reported by the complainant is distinctly in connection to and part of the same conspiracy suspected by him in first PS Case - registration of zero FIR is illegal, without jurisdiction and tantamounts to second FIR and later PS Case quashed - further, transmission of second PS Case to the officer-in-charge of police station in the State of West Bengal is illegal, without authority of law - every subsequent acts/actions taken pursuant to any order or decision, or act or omission on the part of the authority shall be non est-registration of FIR by police station in West Bengal also held illegal and, quashed. (Paras 34 to 36, 38 and 41)

Hindu Marriage Act, 1955

Coram: Shree Chandrashekhar, Ratnaker Bhengra, JJ.

Prahalad Prasad vs. Sweta Kumari

First Appeal No. 181 of 2019 (Decided on 13.4.2023)

Hindu Marriage Act, 1955 - Section 13(1)(ia) Special Marriage Act, 1954- Section 27(1)(d)-cruelty expression cruelty refers to such human conduct or behaviour which adversely affects the other spouse the conduct or behaviour of the spouse should be of such nature that the aggrieved spouse cannot be reasonably expected to live with the other spouse - therefore, an exercise to determine the extent of harm caused to the aggrieved spouse on account of a course of conduct of the other spouse would necessarily involve an inquiry into the background, education, status, custom and tradition of the parties and other circumstances of the case - in all cases of cruelty the entire matrimonial relationship must be considered and this rule assumes special significance when cruelty consists not of violent acts but of injurious reproaches, complaints, accusations or taunts - concept of cruelty has changed according to the changes and advancement in the society and standards of living - continuous ill-treatment, cessation of marital intercourse, studied neglect or indifference attitude of one spouse towards the other are the factors which would lead to mental and legal cruelty. (Paras 18 and 22).



Special Marriage Act, 1954-Section 27(1)(d)-divorce - there is no chance of revival of matrimonial relationship between appellant and respondent - a marriage demands mutual trust, regard, respect, love and affection for each other and requires sufficient room for reasonable adjustments - emotion which oozes in a matrimonial tie has completely dried up, rather, never emerged- unsubstantiated allegations of demand of dowry were made against him and his family members which has caused immense mental torture, agony and suffering to him - insistence of respondent that appellant must stay in a rented house or in the house of her parents cannot be justified and must have caused tremendous pressure and torture in the minds of appellant - kind of allegations such as rape/attempt to rape levelled by the respondent and the complaints, petitions, applications etc. filed by respondent provide sufficient indication that appellant was put to unsurmountable harassment and torture - parties never attempted to join the company of each other and remained indifferent to each other's feelings - marital bond between the parties is broken beyond repair - appellant has suffered the kind of mental cruelty which entitles him to seek a decree of divorce u/s 27(1)(d) - marriage of the appellant solemnized with respondent dissolved-appellant directed to pay a sum of Rs. 50 Lakhs to the respondent as permanent alimony for her maintenance.

Special Marriage Act, 1954-Section 37 - Hindu Marriage Act, 1955 - Section 25 - amount of permanent alimony and maintenance shall be fixed having regard to the income and other properties of the parties, conduct of the parties and other circumstances of the case as the Court may deem just and proper - normally in absence of complete details of the income and other properties of the parties the Court should not fix the amount of permanent alimony and maintenance.

Regularization of contract workers - relationship of employer and employee between the management and the contract workers?:-

Coram: Sujit Narayan Prasad and Subhash Chand JJ.

Their Workmen represented by Bihar Colliery Kamgar Union v. Employer in relation to the management North Tisra Colliery of M/s (BCCL) & Ors.,

L.P.A. No.406 of 2020

There is no provision under the Contract Labour (Regulation & Abolition) Act, 1970 for the automatic absorption of contract labour in the absence of any notification under Sec 10(1) of the Act and a finding as to proving the contract to be a sham of camouflage. The twin test laid down by the Apex Court in Steel Authority of India Limited & Ors. v. National Union Waterfront Workers & Ors., (2001) 7 SCC 1, has been alluded to, stating that a prohibition notification under Sec 10(1) of the Act, which empowers the Government to prohibit employment of contract labour, and a finding that the contract was sham or camouflage



would constitute the principal considerations for passing an award of regularization. The Notification issued by the Ministry of Labour (No.S.O.3460 dated December, 11 1990 & No. S.O. 2063 dated June 21, 1988) under Sec 10(1) of the Act would reflect that transportation of middling and removal of slurry has been notified under the prohibited category, and the contract workers had been carrying out the same. The contract has also been found to be a sham, from the conduct of the management, the non-production of the wage sheet and supervisory work. No adverse inference can be drawn while dealing with a beneficial piece of legislation on the non-production of Sec 10(1) notification before the adjudicator, rather the Court would adjudicate according to the statutory mandate.

Interpretation the word “substituted” with respect to repealment and saving:-

Coram: Hon’ble Mr. Justice Sujit Narayan Prasad and Hon’ble Mr. Justice Subhash Chand

*Akhtari Begum v. The Bank of India & Ors.,
L.P.A. No.182 of 2018*

The process of substitution consists of two steps. First, the old rule is made to cease to exist and, next, the new rule is brought into existence in its place. Thus, if there is both repeal and introduction of another provision in place thereof by a single exercise the expression “substituted” is used. Such deletion has effect of repeal of the existing provision and also provides for introduction of new provision. Whenever an Act is repealed, it must be considered as if it had never existed. Therefore, on repeal, the earlier provisions stand obliterated/abrogated/wiped out wholly, i.e., pro tanto repeal.

It has been stipulated that the Settlement will be applicable from the date of settlement. Once the statutory provision has been repealed, there cannot be any decision by the authority concerned on the basis of the repealed provision, since the Bipartite Settlement of the year 1966 has already been superseded which impliedly means that the Bipartite Settlement of the year 1966 has been repealed and since it has been substituted by Bipartite Settlement of the year 2002, the disciplinary authority had the power and jurisdiction to pass an order on the basis of the Settlement of the year 2002 imposing the punishment of compulsory retirement with the superannuation benefits.

Applicability of strict liability with regard to the interpretation of Section 18 of the Railway Act, 198:-

Coram: Hon’ble Mr. Justice Sujit Narayan Prasad and Hon’ble Mr. Justice Subhash Chand



सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

The Union of India & Ors. v. Dharam Bidyas Kujur,
L.P.A. No. 238 of 2020

Sec 18 provides for the liability of the Railway administration for the construction of suitable gates, chains, bars, stiles or hand-rails. Sub-section (b) provides that any casualty that takes place within the area which is under the control of the railway administration where the appropriate measures have not been taken, it would be the liability of the railway administration to take care of either in the terms of money or by any measures. Referring to the applicability of the judgment rendered in Union of India vs. Rina Devi, (2019) 3 SCC 572, the Court has dealt with the case of a non-passenger stating that it does not absolve the railway administration of its liability if any casualty takes place regarding a person crossing the railway bridge when statutory compliance as per the provision of Section 18 had not been made by the administration. Alluding to the case of Union of India vs. Prabhakaran Vijaya Kumar & Ors., 2008 9 SCC 527, the applicability of the principle of strict liability to statutory authorities like the railways, public corporations or local bodies has been put forth. Furthermore, the principle of strict liability should be applicable de hors statutory provisions since it is the duty of the State to function as a Welfare State. As a result of poor construction, absence of a gate and lack of appropriate signals at the unmanned Ketari crossing, the railway administration has been negligent and would thus be held strictly liable for the death of the son of the claimant, thus making him entitled for compensation.

The principle of discharge under Section 227 of the Code of Criminal Procedure:-

Coram: Hon'ble Mr. Justice Sujit Narayan Prasad and Hon'ble Mr. Justice Subhash Chand

Mrityunjay Kumar Singh v. Union of India,
Cr. Appeal (DB) No. 356 of 2023

There are two important ingredients of Section 227 Cr.P.C - (a). after hearing the submissions of the accused and (b). not sufficient ground for proceeding against the accused. As per mandate of Section 227 Cr. P.C., if, upon consideration of the record of the case and the documents submitted therewith, and after hearing the submissions of the accused and the prosecution in this behalf, the judge considers that there is not sufficient ground for proceeding against the accused, he shall discharge the accused and record his reasons for doing so. As per Section 228 Cr. P.C. only thereafter and if, after such consideration and hearing as aforesaid, the judge is of the opinion that there is ground for presuming that



the accused has committed an offence, the trial Court shall frame the charge. The stage of discharge under Section 227 Cr. P.C. is a stage prior to framing of the charge (under Section 228 Cr. P.C.) and once the Court rejects the discharge application, it would proceed for framing of charge under Section 228 Cr. P.C. At the stage of Section 227, the judge has merely to sift the evidence in order to find out whether or not there is sufficient ground for proceeding against the accused, it is not necessary for the Court to enter into the pros and cons of the matter or into a weighing and balancing of evidence and probabilities which is really the function of the court, after the trial starts.

Dissolution of marriage under Section 13(1) (ia), (ib) of the Hindu Marriage Act, 1955 on the grounds of an illicit adulterous relationship, cruelty and desertion:-

Coram: Hon'ble Mr. Justice Sujit Narayan Prasad and Hon'ble Mr. Justice Subhash Chand

Manju Kumari v. Anil Kumar,

F.A. No. 368 of 2018

False accusation against the spouse having an illicit relationship is cruelty, and “the feeling of deep anguish, disappointment, agony and frustration of the husband would be obvious.” (Alpaben Ambalal Patel v. Ashokkumar Chandulal Patel, (2022) 0 Supreme (Guj) 926). The allegation of an illicit relationship is required to be established by leading cogent evidence and if the same cannot be established, it would be a false allegation, and thus amount to cruelty.

“Cruelty” is the “conduct in relation to or in respect of matrimonial conduct in respect of matrimonial obligations”. Such cruelty can be either “mental” or “physical”, intentional or unintentional. While judging whether the conduct is cruel or not, what has to be seen is whether that conduct, which is sustained over a period of time, renders the life of the spouse so miserable as to make it unreasonable to make one live with the other. When no cogent evidence has surfaced by from the testimonies of the prosecution witnesses, the allegation of cruelty cannot act as a ground for divorce.

For the offence of desertion, two conditions – (1) the factum of separation, (2) the intention to bring cohabitation permanently to an end and two elements – (1) the absence of consent, (2) absence of conduct giving reasonable cause to the spouse leaving the matrimonial home to form the necessary intention are essential for deserting spouse and the deserted spouse respectively. The offence of desertion is a course of conduct which exists independently of its duration, but as a ground for divorce it must exist for a period of at least three years immediately preceding the presentation of the petition.



सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

Section 3 of Essential commodities Act:-

Coram : Rongon Mukhopadhyay, J.

Gajendra Sahu v The State of Jharkhand & Others.

W.P.(C) No. 5970 of 2022

In this case, a Single Bench of this Hon'ble High court speaking through the mouth of Hon'ble Mr. Justice Rongon Mukhopadhyay, while dealing with Section 3 of Essential commodities Act, held that the imposition of punishment must be in commensuration with the charge. In this case, though there was prior intimation of inspection but the PDS shop was found closed, a show cause notice was issued to the petitioner which was duly replied to but having found the same to be unsatisfactory, the PDS license of the petitioner has been cancelled which has been affirmed in appeal. It was held that There does not appear to be any allegation of irregularities committed by the petitioner in running the PDS shop save and except of not opening the shop in spite of prior intimation. The folly on the part of the petitioner could have been understandable if there was a surprise inspection and the PDS shop of the petitioner was found closed but it appears that in spite of receiving an intimation the petitioner was constrained not to open his shop for a reason which has been assigned in the show cause reply that the petitioner was suffering from illness. . Hence decision of authority found to be harsh. Imposition of punishment i.e. cancellation of PDS shop license is set aside and quashed. Writ application allowed.

Section 65B (4) of The Evidence Act:-

Coram : Rongon Mukhopadhyay. And Ambuj Nath,JJ.

The State of Jharkhand V. Ramai Karua and Others.

Death Reference. No. 02 of 2022

In this case, A Division Bench Of this Hon'ble High Court while dealing with the matter, held that separate First Information Reports should be registered for each separate incident. In this case, there was scuffle between two groups of prisoners inside jail premises and several inmates suffered injuries and one of aggressors, later on, became victim of violence unleashed by inmates and died. Since there were two incidents which should have led to two separate First Information Reports as one of the aggressors later on became a victim of violence unleashed by the inmates but surprisingly both the incidents have been clubbed together leading to a solitary First Information Report being registered.

It was further held that the authentication certificate must be issued by any responsible officer as envisaged in Section 65B (4) of The Evidence Act, while in this case authentication certificate was not issued by technician but it was issued by company and technicians



were merely signatories to certificate. Further, a letter was issued by Jail Superintendent showing that CCTV was not working on date of incident. Therefore CCTV footage cannot be found trustworthy and reliable. Appeal allowed.

Section 43-D(5) of the UAP Act :-

Coram : Rongon Mukhopadhyay. And Rajesh Kumar,JJ.

Mrityunjay Kumar Singh @ Mrityunjay @Sonu Singh v. Union of India through the N.I.A.
Criminal Appeal (D.B.) No. 380 of 2021

In this case, a Division Bench Of this Hon'ble High Court while dealing with Section 43-D(5) of the UAP Act ,held that the role played by the appellant seems to suggest that he has been made a victim of extortion and has succumbed to such demands only to ensure the smooth running of his business. There is no allegation that the appellant was a part of the decision making process which led to the attack upon the patrolling party culminating in the death of four police personnel. The appellant was earning his livelihood by running his road construction business and if he failed to adhere to extortion demands, his business would have been adversely affected. In fact, as stated in the memo of appeal, several cases have been lodged against the Maoists by either the appellant or his staffs, for destruction of the properties of the firm, and of unlawful demands having been made. Most of the Protected witnesses in their statements under Section 164 Cr. P.C. have not taken the name of the appellant and whosoever has taken his name either in the statement under Section 164 Cr. P.C. or under Section 161 Cr. P.C. have not alleged any overt act against the appellant and merely because of a purported acquaintance with A-1 and A-14, the same would not lead to an accusation of "terrorist acts" against the appellant because such accusation was only with respect to demand and payment of levy. Appeal allowed.

Section 106 of the Evidence Act:-

Coram : Rongon Mukhopadhyay. And Ambuj Nath,JJ.

Nakul Mahato v. The State of Jharkhand
Criminal Appeal (D.B.) No. 596 of 2011

In this case, a Division Bench of this Hon'ble High Court while dealing with the Section 106 of the Evidence Act, held that the appellant must submit reasonable explanation about the incident which was within his special knowledge. In this case The prosecution has been able to prove that the appellant was with the deceased on that fateful night and in the morning he was absent when the body of his wife was found lying in the room. It has also been able to prove that there used to be a regular quarrel between the appellant and his wife though the reasons are somewhat distinct. In the background of such circumstantial evidence



the onus shifts upon the appellant to offer a reasonable explanation in discharge of his burden placed upon him in terms of Section 106 of the Evidence Act and his failure to provide any explanation is an additional link in the chain of circumstances. The deceased was his wife, she was sleeping with him in the night, the appellant was not found present in the house and the cause of death was opined to be asphyxia due to strangulation; these circumstances establish the guilt of the appellant which is further intensified by the failure of the appellant to submit a reasonable explanation of the incident which was within his special knowledge. Appeal dismissed.

Section 134 of the Evidence Act:-

Coram : Rongon Mukhopadhyay. And Ambuj Nath,JJ.

*Sanjay Paswan v. The State of Jharkhand.
Criminal Appeal (D.B.) - 189 of 2013*

In this case, a Division Bench of this Hon'ble court while dealing with the Section 134 of the Evidence Act, held that conviction can be based on the testimony of a single eyewitness so long he is found to be wholly reliable. In this case the accused allegedly killed deceased with gun. Mother of deceased was sole eyewitness. Her evidence revealed that accused came to her house, dragged out her son, took him to an alley and shot him dead. Only she and her deceased son was at home when accused came to her house. While the accused was dragging out her deceased son, she had not made any attempt to alarm neighbour or seek any assistance. She ran to alley where accused took her deceased son and shot him dead in front of her and flew away. Even then she had not made any attempt to seek assistance or to catch hold of miscreants. Evidence of Mother had not been corroborated by any ocular evidence. Conduct of mother being sole eyewitness created doubt in her testimony. Accused entitled to benefit of doubt. Appeal allowed.

Service Law: Transfer:-

Coram: Hon'ble Mr Justice Ananda Sen

Bhanu Pratap Singh v. State of Jharkhand, 2023 SCC OnLine Jhar 307

In the writ petition (WPS No 3827 of 2022, Bhanu Pratap Singh vs State of Jharkhand) while dealing with a transfer matter, the issues before the court was that once the transfer order is given effect to, whether the competent authority has got any right to recall the same. The second issue was that when there is a power to transfer whether the power to recall the same is there with the authority, whether that can be used at any point of time. The Court while allowing the writ petition has held as under:-

- Transfer means the change of place of employment within the same organization. It is an incident of public service and generally it does



not require the consent of the employee. The employer has inherent power to transfer its employee, for which, it is not necessary to have any express provisions or any terms.

- Authority issuing the transfer order has a right and power to recall the same, but the said power can be exercised by authority before implementation of transfer notification.
- The existence of power and exercise of power are two different aspects. An authority vested with the power is not always vested with the power to exercise the same at any point of time. Even if the authority has power to transfer and the power to recall the transfer order, the same cannot be exercised beyond a particular stage.
- Once the transfer order has been given effect to and the party has joined transferred place of posting, pursuant to order of transfer, even the authority having the power to recall the same, cannot recall/ cancel the order of transfer if the same is given effect to. It can only be recalled by the issuing authority before the order is given effect to.

WILL:-

Coram: Hon'ble Mr Justice Ananda Sen

[Anita \(Rai\) Singh v. Shanti Rani Singh, 2023 SCC OnLine Jhar 722](#)

In the case (Dr. Anita (Rai) Singh & Ors vs Smt Shanti Rani Singh Ors , MA No 296 of 2016) while going through a probate matter dealt with suspicious circumstances, especially when natural heirs are deprived from their share in the property and also dealt with execution of a valid will. The court while allowing the appeal has held as under:-

- The propounder of the WILL must examine one or more attesting witnesses and onus is placed on the propounder to remove all suspicious circumstance with regard to execution of the WILL.
- Deprivation of the natural heir may be a circumstance, but by itself, the same may not be held to be a suspicious circumstance and can only be a factor, which can be taken into consideration. Mere allegation of exclusion cannot be treated to be suspicious circumstance.
- Individuals have almost free control over how to dispose of their property in a will that can be completely different from how intestate laws would apply.
- The concept of testamentary succession is to break the line of succession and



सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

deviate therefrom.

- Equal distribution is not a prerequisite for a will to be valid in law.
- Non-disclosure of the WILL by the testator cannot be a ground to disbelieve the execution of the said WILL.
- Law does not provide examining of the attesting witnesses. Examination of one attesting witness is sufficient to prove the WILL.

Compassionate Appointment:-

Coram: Hon'ble Mr Justice Ananda Sen

Subasiya Devi vs BCCL & Ors, WPS NO 4200 of 2019

In the case (*Subasiya Devi vs BCCL & Ors, WPS NO 4200 of 2019*) while dealing with a appointment of petitioner on compassionate ground, the issue before the court was whether the compassionate appointment can be granted to married daughter dehors the scheme. The Court held as under:-

- Married daughter or a divorced daughter, if not included in the scheme for compassionate appointment as a dependent, cannot be granted compassionate appointment.
- Married daughter, whose husband is alive, cannot be said to be dependent upon the father. As the prime responsibility to maintain the married daughter is upon her husband and not upon her father.
- If the father by way of gratis is extending some monetary help to his son in law or his family, it cannot be said that he is duty bound to maintain the daughter when the husband is an able bodied persona and is also earning.
- Insufficiency of income of husband cannot be a ground to seek compassionate appointment by a married daughter.

Criminal Law:-

Coram: Hon'ble Mr Justice Ananda Sen

Ram Kumar Singh vs State of Jharkhand through CBI, WP (Cr) No 314 of 2011

In the case (*Ram Kumar Singh vs State of Jharkhand through CBI, WP (Cr) No 314 of 2011*), application filed to quash the order passed by the Special Judge, CBI, Ranchi. The court



held as under:-

- Merely reproducing the words of any penal Sections without any factual background to attract penal Sections, cannot be a ground to take cognizance of the sections mentioned in the Charge sheet. The penal Provisions should have factual backing, which would constitute the said offence or any offence. This exercise is not a mere formality, but is a sacrosanct duty of the Magistrate.
- An FIR can be quashed invoking inherent jurisdiction, if the allegation made in the FIR taken at their face value do not constitute the offence as alleged. Power has to be exercised very sparingly.
- At the stage of quashing a FIR or complaint the High Court is not justified in embarking upon an enquiry as to the probability, reliability or genuineness of the allegations made therein, nor can weigh the allegations, neither shift the burden. The statements made in the FIR have to be taken on their face value and accepting those statements to be true, the Court has to judge as to whether any offence, as alleged, is made out or not. If on the face value, an offence is made out, the FIR cannot be quashed. If an offence, or an offence, as alleged, is not made out from bare perusal of the FIR, the FIR can be quashed to prevent the abuse of the process of the Court.
- Merely, incorporating the words “dishonestly and fraudulently “ and “criminal conspiracy” will not make the entire act or transaction a criminal act. There has to be foundational factual allegations.

Jharkhand Pension Rules:-

Coram: Hon'ble Mr Justice Ananda Sen

[Swetabh Kumar v. State of Jharkhand, 2023 SCC OnLine Jhar 308](#)

In the writ petition (Swetabh Kumar vs State of Jharkhand & Anr, WPS No 5009 of 2022) while dealing with the punishment order passed by State of Jharkhand invoking Rule 139 of the Jharkhand Pension Rules, the question arises before this court are that whether Rule 139 of the Jharkhand Pension Rules should be read with Rule 43-b or in isolation and Whether cognizance can be taken of an event which occurred four years prior to the issuance of the notice. The Court held as under:-

- Rule 43-b of the Jharkhand Pension Rules has to be read with Rule 139 of the Jharkhand Pension Rules only when there is an allegation of grave misconduct.



सत्यमेव जयते

- If the Government or the Pension Sanctioning Authority simply feels that the service is not satisfactory then there is no application of Rule 43-b of the Pension Rules.
- In a case which is bereft of any allegation of grave misconduct, but is a case of unsatisfactory service, Rule 43-b of the Rules cannot be read with Rule 139 of the Pension Rules. In that scenario, only embargo is that the said power cannot be exercised beyond three years from the date of first sanctioning of the pension.
- The State can proceed to curtail or withhold pension after giving proper opportunity within three years from the date of the first sanctioning order.

Coram: Dr. S.N. Pathak, J.

KANAHAYIA MISHRA & ORS. Vs. THE STATE OF JHARKHAND & ORS.
WPS No. 3834 of 2012

Service Law – While considering the age of superannuation of Class III and Class IV employees be 62 years - fixation of age of retirement of the employees of the State Government - is a policy decision which cannot be interfered by the High Court sitting under Article 226 of the Constitution. Interference can be made if the policy decision is itself against the Constitutional Mandate and as such, it can be declared ultra-vires by the Court. In the present case- Once there is no public duty vested in the State, there is no question of violation of the so-called public duty whatsoever arises - no writ of mandamus can be issued upon the State for enhancing the age of superannuation.-Where there is a power vested in the State, there is no corresponding right vested in the non-teaching staff and similarly there is no duty, much less a public duty, vested in the State that the State must enhance the age of superannuation. (Para 7-14)

Coram: Dr. S.N. Pathak, J.

PRINCIPAL, JVM SHYAMALI Vs. DISHOURAY HARSHIT NATH & ORS.
A.C. (S.B.) No. 15 of 2018

While dealing to fix a cut off marks for admission in various categories of students for Class 11 as well as directed to be allowed to take admission in Class XI in Science stream- they were denied admission in Class XI Science Stream on the ground that names of the Respondent's son do not find place in the shortlisted/ merit list. - Held, policy decision should be looked into as the matter falls with the domain of experts.- Having offered



admission in other stream to the applicant, no malafide can be made out even in regard to giving some relaxation to the wards of MECON. In the present case, the school is not denying admission but the school is not giving the appellant's son science stream as he does not have the aptitude and marks in terms of the cut off marks prescribed. This writ petition stands allowed and the order passed by JET is hereby set aside. (Para 21-27)

Coram: Dr. S.N. Pathak, J.

LALAN RAM Vs. THE STATE OF JHARKHAND & ORS.

WPS No. 580 of 2013

Order of dismissal- In this case, a single bench of this Hon'ble High Court speaking through the mouth of Hon'ble Dr. Justice S.N. Pathak, while dealing with the order of dismissal passed by the D.G.P wherein the order has been upto the Revisional Authority. – No interference is warranted- This court sitting under Article 226, restrains itself from re-appreciating the evidences, which has already been appreciated in the Enquiry by the Disciplinary Authority and thereafter, providing full opportunity, punishment order was passed- this court cannot substitute its own finding. Therefore, while exercising its jurisdiction of judicial review under Article 226 of the constitution would not interfere with the findings of the fact arrived at the departmental enquiry. (Para 5-11)

Coram: Dr. S.N. Pathak, J.

Om Prakash Singh vs. M/S Bharat Coking Coal Ltd. & Ors.

WPS No. 1213 of 2015

Service Law - Correction in service record regarding date of birth – government servant declared his date of birth as entered in the service register to be corrected, not permitted at the fag end of service- Similar issue fell before the Hon'ble Appex Court in the case of BCCL & Ors. Shyam Kishore Singh, reported in 2020 (2) Supreme Today 189 wherein it was held that, request for change of date of birth in the service records at the fag end of service is not sustainable.- No interference is warranted to this writ petition. (Para 8).

Coram: Dr. S.N. Pathak, J.

Sadanand Prasad vs. State of Jharkhand & Ors.

WPS No. 2433 of 2012

Service Law - While dealing to fix pension afresh and extend the benefits - it is apparent from the impugned order itself that such power was delegated with the authority other the disciplinary authority who has passed the order which not tenable in the eyes of law. - Considering to the present status of the petitioner- he has retired long back. - Respondents



सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

are directed to fix the pension afresh and extend the benefits. Further, no punishments lie against the petitioner. This writ petition stands allowed. (Para 10, 11, 12).

Coram: Sri Rajesh Shankar, J.

Shivam Builders and Developers vs. Jharkhand Urja Vikas Nigam Limited & Others
W.P.C No. 3650 of 2020 with W.P.C No. 4435 of 2022

In the case of Shivam Builders and Developers Versus JUVNL & Others (with another analogous case) reported in 2022 (2) JBCJ 313, the petitioners were seeking issuance of direction upon the respondents for grant of fresh electrical connections to the petitioners in their respective premises situated over the land in question which was declined by the respondent-JUVNL on the ground of electricity dues of the predecessor-in-title.

Held that generally subsequent transferee cannot be held liable for the dues of the erstwhile owner/occupant of the premises, however, if there is a statutory rule for holding the subsequent purchaser liable for the dues of the erstwhile owner/occupier, then the distribution licensee may compel the subsequent purchaser to pay the dues before getting fresh electrical connection. It has also been held that Clause 5.3.3 of the Jharkhand State Electricity Regulatory Commission (Electricity Supply Code) Regulations, 2015 does not speak that the subsequent purchaser will be liable for the dues of previous owner whereas Clause 6.10(a) of the Regulations, 2015 specifically provides that new occupant of a premises shall not be held liable to discharge the liability of the previous consumer for securing a fresh connection who has no nexus with the previous owner/occupant in any manner.

The Bench finally allowed the writ petition by observing that the respondents have failed to show any nexus between the petitioners and the erstwhile consumer so as to make the petitioners liable to pay outstanding electricity dues of the previous occupant in terms with Clause 6.10(a) of the Regulations, 2015.

Coram: Sri Rajesh Shankar, J.

Babulal Marandi Vs. The Tribunal of the Speaker under Schedule-X of the Constitution, Jharkhand Vidhan Sabha & Another

W.P.(C) No. 4363 of 2022

In the case of Babulal Marandi Vs. The Tribunal of the Speaker, Jharkhand Vidhan Sabha & Another reported in 2023 (1) JBCJ 797, the petitioner was seeking direction of this court for restraining the Tribunal of the Speaker, Jharkhand Vidhan Sabha to pass final order in Tenth Schedule Case No. 01/2021.



Held that the power of judicial review by the Supreme Court under Article 136 and by the High Courts under Articles 226 and 227 shall only be exercised after passing of the final order by the Chairman or Speaker only on the ground of jurisdictional error viz., infirmities based on violation of constitutional mandate, mala fides, non-compliance with rules of natural justice and perversity. It has further been held that the power of judicial review shall not be exercised during pendency of the proceeding before the Speaker or Chairman. The only exception for exercising power of judicial review even at interlocutory stage is when the Speaker has passed interlocutory order of suspension or disqualification of an aggrieved member of Parliament or Legislative Assembly as the case may be. It has further been held that the power of judicial review is not available at the stage prior to making of a decision by the Speaker either by way of "quia timet" action or by other interlocutory order.

Finally, the writ petition was dismissed as not maintainable by holding that the only exception for exercising of power of judicial review at interlocutory stage was not present in the case in hand.

Coram: Sri Rajesh Shankar, J.

Shobha Singh Vs. The State of Jharkhand & Others

W.P.(C) No. 2073 of 2020 with W.P.(C) No. 3691 of 2020

In the case of Shobha Singh Vs. The State of Jharkhand & Others (with another analogous case) reported in 2023 SCC OnLine Jhar 1117 the petitioners were challenging the show cause notices issued to them by the Circle Officer, Kanke Circle, Ranchi for cancellation of their existing jamabandis with respective to the land in question exercising the provision of section 4(h) of the Bihar Land Reforms Act, 1950.

Held that long running jamabandi cannot be cancelled except by instituting a litigation before the Civil Court of competent jurisdiction. It is further held that Sada Hukumnama cannot be outrightly rejected. It is also held that on the one hand the State is claiming its title upon the said land on the ground that the nature of the land is "Gairmajarua Malik" and on the other hand the petitioners are claiming their title over the said land relying on various documents including 'Hukumnama' of the ex. Landlord executed in the year 1944. The Bench was of the view that since the petitioners/their predecessors-in-interest were in long possession of the land in question, the State was required to file title suit against them for adjudication of its claim over the same. The Bench applied the well-known maxim "Nemo judex in causa sua" which literally means "no-one should be judge in his own cause" and held that since the State is a interested party, its authorities cannot unilaterally determine the genuineness of the documents relied upon by the petitioners in support of their claim.



सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

Finally, the bench allowed both the writ petitions. However, the respondent-State was given liberty to take recourse before the competent court of Civil Jurisdiction claiming its right, title and interest over the said land.

Coram: Sri Rajesh Shankar, J.

Samri Lal Vs. the State of Jharkhand

W.P.(C) No. 1583 of 2022

In the case of Samri Lal vs. The State of Jharkhand & Others reported in 2023 (2) JBCJ 152, the petitioner was challenging the decision of the Caste Scrutiny Committee whereby the Caste Certificate issued in favour of the petitioner was cancelled.

Held that there are twin conditions to oust the jurisdiction of the Committee so as to make verification of a caste certificate i.e. there is a legislation with respect to verification of caste certificate and the caste certificate has been issued after due and proper enquiry as envisaged in the legislation. Since in the State of Jharkhand, there is no legislation governing the field of verification of the claims of caste status and for issuance of caste certificates or for verification of caste certificates already obtained by candidates seeking benefits on the ground of such certificates, the jurisdiction of the Caste Scrutiny Committee to entertain the complaint doubting the genuineness of the caste certificate cannot be ousted. It is further held that the inquiry was not conducted by the vigilance cell as mandated in Kumari Madhuri Patil & Another vs. Additional Commissioner, Tribal Development and Others reported in (1994) 6 SCC 241 as also no inquiry was conducted in the State of Rajasthan from where the petitioner's father is allegedly said to have been migrated.

Finally, the Bench disposed of the writ petition directing the concerned department of the Government to constitute a Vigilance Cell in conformity with the guidelines issued by the Hon'ble Supreme Court in Kumari Madhuri Patil (supra.) and thereafter the Vigilance Cell was directed to conduct a preliminary inquiry on the complaint made by the respondent no. 4 and to submit report to the Committee upon which the Committee had to pass final order on affording due opportunity of hearing to the parties.

Coram: Sri Rajesh Shankar, J.

Prabhakar Kumar Singh Vs. Chief Information Commissioner, Jharkhand State Information Commission & Others

W.P. (S) No. 6025 of 2012

In the case of Prabhakar Kumar Singh Vs. Chief Information Commissioner, Jharkhand State Information Commission (W.P.(S) No. 6025 of 2012), the petitioner had challenged the order



passed under section 20(1) and 20(2) of the Right to Information Act, 2005 whereby penalty of Rs.20,000/- was imposed upon the petitioner recommending initiation of departmental proceeding against him.

Held that before ordering for imposition of penalty and initiation of departmental proceeding, the Chief Information Commissioner was required to satisfy himself that the petitioner had not given information to the respondent no. 2 within time without any reasonable cause and had acted in a malafide manner. It is further held that the petitioner had issued a letter to the applicant within the stipulated time for depositing the required fee through ordinary post and he was under bonafide believe that the same was delivered to the applicant. It is further held that the word "delivery" has not been mentioned in section 7(3) of the Act, 2005 rather the words "send an intimation" have been mentioned and thus the petitioner was not under statutory obligation to keep track of delivery of the letter.

Finally, the impugned order was quashed by holding that since the notice was sent to the disclosed address of the applicant well within the stipulated time, the petitioner had the reasonable ground to refuse furnishing the information unless the fee was paid by the applicant.

Coram - Hon'ble Mr. Justice Anil Kumar Choudhary

Rajan Sood Versus The State of Jharkhand and Another

Cr.M.P. No. 1970 of 2018

Decided on 16.06.2023

Facts

The brief facts of the case is that the complainant – opposite party no. 2 was appointed as consignee agent for Jharkhand State for distribution of the products of the said company and paid Rs. 2,50,000/- towards security deposit with the company and he was required to store the products on behalf of the company and was entitled to invoice the products to the customers / distributors with the consent of the company. The allegation is that a sum of Rs. 1,05,314.01 was due to be paid by the said company to the complainant – opposite party no. 2 since the year 2010 besides the security deposit amount and the accused person, did not pay Rs. 9,21,469.23 to the complainant.

Observation

The court finds that as there is absolutely no allegation of entrustment of any property to either the company or any of the accused persons by the complainant – opposite party no. 2 and in absence of the same, obviously there is no allegation of any dishonest mis-appropriation of any property entrusted and thus, in the absence of the essential



ingredients to constitute the offence punishable under Section 406 IPC; the court held that the allegations made in the compliant and in the statement under solemn affirmation of the complainant, even if taken to be true in its entirety, still the offence under Section 406 IPC is not made out. As there is no allegation against the petitioner or any of the co-accused persons, having any dishonest intention at the very inception of the agreement, entered into between the parties which is a sine qua non to constitute the offence of cheating, rather the complainant himself admits the commercial transaction between him and accused persons, hence, no offence punishable under section 420 of IPC is made out either.

Bench - Hon'ble Mr. Justice Anil Kumar Choudhary

Divisional Manager, United India Insurance Co. Ltd., Versus Ravi Pankaj and Others

M.A. No.167 of 2019

Decided on: - 24.01.2023

Facts

The deceased namely, Sweta Devi met with an accident involving the offending dumper being rashly and negligently driven. It is next submitted that the tribunal committed an error of record in considering the income-tax return of the deceased which relates to the period after her death. The learned tribunal awarded a sum of Rs.25,03,264/- to the claimants to be paid by the opposite party No.2, being the Insurance Company.

Observation

This court held that in the absence of any evidence to prove that the owner had not taken any care before the vehicle was given to the driver to drive it and that he was guilty of negligence and failed to exercise reasonable care in the matter of fulfilling the condition of the policy regarding use of the vehicle by a duly licensed driver, the liability of the Insurance Company to pay the compensation qua the owner of the vehicle cannot be doubted. The income tax return is a statutory document on which reliance may be placed to determine the annual income of the deceased. This Court held that no illegality has been committed by the learned tribunal in considering the income-tax return of the deceased besides the other documents to assess the income of the deceased.

Coram - Hon'ble Mr. Justice Anil Kumar Choudhary

Saba Tarrannum and Others Versus Afsari Khatoon and Another

S.A. No. 117 of 2020 (Decided on 13.04.2023)

Facts

The plaintiffs purchased the suit land and became absolute owner of the suit land and house situated thereon. The defendants were residing in the said house. They became



ready to vacate the house and executed an agreement on 14.06.2008 and admitted the ownership of the plaintiffs and assured to vacate the suit property. The plaintiffs further pleaded that the name of the plaintiffs have been mutated and the plaintiffs are paying the rent but when the plaintiffs approached the defendants to request to vacate the house, they refused to do the same, hence, the plaintiffs filed the suit.

Observation

This court observed that Rule 3 of Order VII of CPC envisages that if the suit property is described by its numbers and a record of settlement or survey alone still such a description will suffice. It further held that the suit cannot be dismissed for insufficient description of the boundary and the court has to give an opportunity to the plaintiffs to set right, the discrepancies by furnishing sufficient information to make the suit plot identifiable. Moreover, in this case, there is absolutely no pleading in the written statement of the defendants as to there being any variance between the description of the southern side of the boundary as mentioned in the sale deed, marked as Exhibit 4 and the plaint and the defendants have contested the suit without demur, regarding the variance of the description of the southern boundary of the suit plot. For the first time, it was not open for the plaintiffs to raise such ground at the time of hearing of the argument of the suit or for that matter; before learned First Appellate court. As there is no material in the record to suggest that the any prejudice has been caused to the defendants regarding the vagueness in the description of the suit property. Hence, the same is not a ground to dismiss the suit.

Coram - Hon'ble Mr. Justice Anil Kumar Choudhary

The State of Jharkhand, through Deputy Commissioner & Another Versus Kishun Gope

S.A. No.198 of 2015

Decided on 02.02.2023

Facts

The plaintiff was appointed as Jail Warden in the Central Jail, Hazaribagh and his date of birth was entered in the service record as 04.12.1954. Later on, the plaintiff found that the year of his date of birth has been altered as 1948 in place of 1954. The plaintiff protested and requested for correction of his date of birth and submit representation on 21.02.2007 Though prior to his representation, he had no occasion to come to know about the alterations in his date of birth and the superintendent of the jail being the custodian of the records and valuable service book is responsible for such mala fide entry and he failed to assign any notice or convincing reason for such alteration. Hence, the plaintiff filed the suit with a prayer for declaration of his date of birth as 04.12.1954.



सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

Observation

This court held that grievance as to the date of birth in the service record should not be permitted at the fag end of the service career and since, there is absolutely no evidence that any public servant in discharge of his official duty has made the entry this Court has no hesitation in holding that the same fails to comply with the requirement of section 35 of the Indian Evidence Act. Even assuming for the sake of argument that the same is admissible in evidence, the same do not carry much evidentiary value to prove the age of the plaintiff. Since the plaintiff has filed the suit to seek declaration of his date of birth, certainly, the burden was upon the plaintiff to prove his date of birth to be 04.12.1954. Hence, allowed the appeal and dismissed the suit of the plaintiff.

Coram: Hon'ble Mr. Justice Aparesh Kumar Singh
Hon'ble Mr. Justice Ratnaker Bhengra
Hon'ble Mr. Justice Anil Kumar Choudhary

Alamuni Hansda Versus The State of Jharkhand through its Secretary, Department of Revenue, Ranchi and Others

W.P.(C) No. 3164 of 2005

Decided on 22.02.2023

Facts

The instant matter has been placed before this Larger Bench on reference being made by the learned Division Bench vide order dated 9th March 2018. The learned Single Judge had earlier vide order dated 19th August 2016 passed in W.P.(C) No.3164 of 2005 referred the matter to the learned Division Bench taking note of divergent views expressed by the learned Division Benches on the procedure for appointment of a Pradhan under the SPT Act, 1949.

Decision and Observation (By Hon'ble Mr. Justice Anil Kumar Choudhary)

This court while dealing with the question as to "Whether the female can be appointed as village headman/head woman as a successor to the office in exercise of hereditary right in terms of SPT Act?", held that the use of the words "father/mother" and "he/she" in clause 4 of the Schedule V without doubt makes it gender neutral statute. It makes no discrimination between male and female. The bare perusal of clause 4 of the Schedule V in no uncertain manner indicates that a female can be a headman. As otherwise there is no justification for using the word "mother" or "she" in clause-4. Therefore, the only corollary is that the female is eligible to be a headman and the term "headman" includes a "headwoman" also. Hence it can safely be deduced from the above that a woman can be appointed as village headman/head woman as a successor to the office in exercise of hereditary right in terms of SPT Act.



Thus, in the case of “not khas village” (such villages are also known as “Pradhani” village), if a female is a “next heir” on the basis of the law of inheritance applicable to the family of headman such a female can very well be appointed as the headman.

Section 34(2) of the Arbitration and Conciliation Act, 1996:-

Coram: Anubha Rawat Choudhary, J.

Central Coalfields Limited -vs- M/s. Rajdhani Carriers Private Limited

Arbitration Appeal No. 12 of 2012

5th April, 2023

While dismissing the appeal under section 37 of the Arbitration and Conciliation Act, 1996 and upholding the award, the Court Held: -

- a. The arbitrator derives authority from the contract and thus, the award passed by him in manifest disregard to the terms of the contract would be arbitrary in nature. Deliberate departure from the contract amounts not only to manifest disregard of its authority or misconduct on the part of the arbitrator, but it may also tantamount to a malafide action. On facts, the court ruled-

“Neither the learned arbitrator acted in manifest disregard of the contract nor the award given by him can be said to be an arbitrary one nor there is any deliberate departure from the contract while directing refund of security amount after interpreting clause 32 of the agreement.”
- b. The Court rejected the argument raised by it that the Arbitrator was duty-bound to examine the point of limitation irrespective of any plea having been raised by it before the Arbitral Tribunal. The Court held that the point of limitation, if any, was required to be specifically raised by the appellant before the learned arbitrator who could have considered such a plea after giving an opportunity to the claimant.

The Court concluded that the award was based on possible/plausible views upon appreciation of evidence and the interpretation of the agreement which does not call for any interference under the limited jurisdiction of the Court under the Act of 1996.



सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

Regularisation and absorption of Lady Extension Officers:-

Coram: Anubha Rawat Choudhary, J.

Manjula Palit & Ors. -vs- The State of Jharkhand & Ors.

W.P.(S) No. 6042 of 2015

19th May, 2023

Main Issue:- Whether the lady extension officers could be treated differently from other extension officers merely because the method adopted for their selection was different although the decision for the creation of posts for all extension officers was taken through the same process and in the same background.

The challenge was regarding the denial of the status of 'government servant' to the lady extension officers.

After the bifurcation of the state of Bihar and Jharkhand, all the Extension Officers who remained in Bihar were treated to have the status of 'government servant' right from their initial date of appointment by the then undivided State of Bihar. The State of Jharkhand took a decision to absorb Statistical Investigators and Extension Officers (Industry and Commerce) in various departments but left out the Lady Extension Officer and by the impugned orders declared that they are not 'government servants' primarily on the ground that the method of recruitment of Lady Extension officers was different but did not consider the background under which a different method of selection was adopted to ensure representation of the women of the locality.

This Court took the view that merely because a different selection process was adopted for the Lady Extension Officer, no distinction could have been drawn between the Lady Extension Officers and other Extension Officers. The matter was remitted back for fresh consideration in light of the observations made in the judgment on the above point and also many other points with regard to their status.

Adjustment of Penal Rent against Gratuity under Payment of Gratuity Act, 1972:-

Coram: Anubha Rawat Choudhary, J.

M/s. Central Coalfields Limited -vs- Regional Labour Commissioner & Ors.

W.P.(S) No. 899 of 2012

21st March, 2023

Employee superannuated on 31.01.2008 from Central Coalfields Limited and after superannuation, he retained the quarter – Central Coalfields Limited sought adjustment of penal rent against gratuity of the employee. Held, in absence of any provision under the National Coal Wage Agreement-NCWA-VIII or any circular or rule enabling Central Coalfields



Limited to adjust the penal rent against gratuity, no such adjustment is permissible in view of Sections 13 and 14 of the Payment of Gratuity Act, 1972.

Rules 43(A), 43(B) & 139 Of Bihar/Jharkhand Pension Rules:-

Coram: Anubha Rawat Choudhary, J.

Saket Bihari Lall -vs- The State of Jharkhand & Ors.

W.P.(S) No. 557 of 2014

3rd January, 2023

While in service, the Petitioner was suspended and a criminal case was also instituted under the provision of the Prevention of Corruption Act in fodder scam. Neither the petitioner was convicted in the criminal case nor he was served with any memo of charge by the department till his retirement in 2001. He was convicted in the criminal case in the year 2010. In the meantime, the petitioner was being given a provisional pension. The petitioner challenged the proceeding under Rule 43(a) / 43(b) of the Jharkhand Pension Rules and also the order passed under Rule 139 of the pension rules.

Held: -

- Rule 43(a) of Jharkhand/Bihar Pension Rules has no applicability. It relates to the future good conduct of a pensioner.
- As per pension Form-4, a specific declaration under Rule 204(a) is taken for release of provisional pension which clearly reflects that provisional pension is sanctioned by way of advance in anticipation of completion of inquiries necessary for the government to fix the amount of pension.
- Payment of full pension or part pension during the pendency of departmental proceedings or criminal proceedings is subject to final approval of the services of the petitioner in terms of Rule 139 (a) of the Pension Rules and so long as final approval of pension is pending, the payment of any amount of pension, part or full, will continue to remain provisional. Approval of service is not a mere formality and the sanction of pension is governed by rules.

PRE-EMPTION:-

Coram: Anubha Rawat Choudhary, J.

Kamal Mahto -vs- The Member, Board of Revenue & Ors.

W.P.(C) No. 4364 of 2012

11th January, 2023

Pre-emption - Parti land – Purchaser is neither co-sharer, nor adjacent raiyat of the vended



property – Original Authority allowed the application under Section 16(3)(i) of the Bihar Land Reforms (Fixation of Ceiling and Acquisition of Surplus Land) Act, 1961 filed by the pre-emptor - in course of spot verification, the authority had not conducted any inspection / enquiry to ascertain as to whether the petitioner was a landless person - original authority, appellate authority and revisional authority did not record any finding with respect to the plea of the petitioner that he is a landless person. Held, right of pre-emption will have to give way in favour of a landless purchaser purchasing small portion of property for his personal needs which would balance the equities between the statutory right of a pre-emptor, though a weak right and the constitutional right of the landless person purchasing small property for his personal needs - matter has been remanded back to the revisional authority for consideration only on the limited point as to whether the petitioner is a landless person or not with the observation that if the petitioner is found to be a landless person on the date of purchase of the vended property, he would be entitled to retain the vended property and no relief is required to be granted to the pre-emptor.

Valid Driving License:-

Coram - Hon'ble Mr. Justice Kailash Prasad Deo

Manager, Oriental Insurance Co. Ltd. Vs. Savitri Debya & Others

M.A. No.- 01 of 2018

Decided - 03-04-2023

The Motor Vehicles Act, 1988 - Possession of valid Driving License - violation of terms and condition under sec 149 the Motor Vehicles Act, 1988 - Present appeal has been preferred by the insurance company against the award on the ground that the Driving License possessed by the driver at the time of accident was fake and thus, right of recovery prayed - Held, that the issue with regard to the validity of Driving license has been framed and it was rightly discussed by the learned tribunal after verifying the Driving License that the same was valid at the time of accident - In view of *Nirmala Kothari Vs. United Insurance Company Ltd.* reported in (2020) 4 SCC 49, the Hon'ble court has held that it would be unreasonable to place onus upon the insured to inquire with the RTO's to ascertain the veracity of driving License, when the same has been authenticated earlier by the learned tribunal and the employer - Hence, no violation of terms and conditions - right of recovery as prayed denied and appeal dismissed.



Compensation Enhancement:-

Coram- Hon'ble Mr. Justice Kailash Prasad Deo

The New India Assurance Co. Ltd Vs. Tannu Tirkey & Anr.

M.A No.- 121 of 2018 with M.A No.- 264 of 2018

Decided - 19.04.2023

The Motor Vehicles Act, 1988 - Compensation Enhancement - Present appeals have been preferred by the insurance company against the award and the claimants for the enhancement of the award passed by the learned Tribunal - The insurance co. challenged the award on the grounds of excessive income, inappropriate dependents of the deceased, invalid route permit and excessive interest. On the other side, the claimants seeking the enhancement on the grounds of less amount awarded under conventional head and future prospect has not been considered by the learned Tribunal - Held, in view of *Chameli Devi Vs. Jivrail Mian* reported in (2019) 4 TAC 724(SC) and in the absence of any contrary evidence that he was not working as supervisor, monthly income of the deceased held to be Rs 8000 per month. Issue with regard to dependents, the Hon'ble court has considered the Section 166(1) of the Motor Vehicles Act, 1988 as well as Section 2(11) of CPC and held that the father, brother and unmarried sister of the deceased are dependents and are claimants. Further, the Hon'ble court reduced the interest levied upon the compensation from 9% to 7.5 % per annum in view of *Dharampal and sons Vs. U.P. SRTC* (2008) 12 SCC 208. Further, in the issues with regard to enhancement, the Hon'ble court have considered the future prospect and conventional head in view of *National Insurance Co. Vs. Pranay Sethi* reported in (2017) 16 SCC 680 and enhance the same. Accordingly, the compensation enhanced from Rs 13,41,000 to Rs 18,84,400 along with interest @7.5% per annum from the date of filing of the claim application.

JCB - Motor vehicle:-

Coram: Hon'ble Mr. Justice Kailash Prasad Deo

Divisional Manager, Bajaj Allianz General Insurance Co. Ltd. Vs Turi Majhiyan

M A No. 130 of 2018

Decided on – 20.04.2023

The Motor Vehicles Act, 1988 – Contractor's plant and Machinery - Insurance company preferred appeal against the award by the Motor Vehicle Accident Claims



Tribunal, contending that the contract of insurance policy covered only Contractor's Plant & Machinery and limited only to 3rd party insurance up to a fixed amount – JCB used under Contractor's plant and Machinery doesn't fall under the definition of Motor vehicle and hence, no liability of insurance company to pay beyond the fixed amount, as per the policy and right to recovery prayed accordingly – Held, considering the definition of Motor vehicle under section 2(28) of the Motor Vehicles Act, 1988, JCB is considered as Motor Vehicle which was insured as Contractor's plant and Machinery and not under 3rd party insurance coverage. – Right to recovery as pleaded herein has not been pleaded before the tribunal below but in the written statement plea was taken on the ground of violation of terms and condition of the policy, which was not considered by the learned Tribunal– Hence, Right to recovery granted to the insurance company to file separate proceeding against the owner of the vehicle with regard to the violation of terms and conditions of the policy and for the recovery of the amount apart from sum assured – Directed Insurance company to indemnify the award passed by the motor vehicle tribunal within 60 days along with the interest.

Injury Compensation – Enhancement:-

Coram - Hon'ble Mr. Justice Kailash Prasad Deo

Bipin Singh @ Bipin Kumar Singh

Versus

Rameshwar @ Ram Ishwar Yadav & Ors.

M.A. No. 389 of 2018

With

M.A. No. 391 of 2018

Decided -12th June, 2023

The Motor Vehicles Act, 1988 – Injury - Enhancement of Compensation - Present appeals have been preferred for enhancement against the award passed by the Motor Vehicle Accident Claims Tribunal, on account of injury caused to the claimants due to motor accident. The claimants suffered permanent disability of 20% and permanent disability of 40% respectively and claiming enhancement on the ground that the both the claimants being driver suffers 100% functional disability due the injury. The meagre amount has been awarded including compensation under head pain and suffering, and interest also ought to be enhanced – Held that one of the injured claimants who was claiming to be 40% permanent disabled fail to led evidence with regard to 100% functional disability and from perusal of lower court record, during examination he never deposed that he is permanent disabled and also escape from reassessment for the disability on



the direction of the medical board. Further, the Hon'ble court found from the lower court record that another injured claimant has filed concocted medical report and has tempered the same, which was also taken note by the learned tribunal – In view of Raj Kumar Vs. Ajay Kumar & Anr. Reported in (2011) 1 SCC 343, the Hon'ble Court enhanced, one of the injured claimant compensation under non pecuniary damage from Rs 50,000/- to Rs 1,50,000/- stating therein that amount granted cannot be remain same under the pain and suffering heading if one of the claimant was admitted in a hospital for a certain period and the another claimant was not admitted to any hospital – Further, in view of Dharampall Vs U.P.SRTC reported in (2008) 12 SCC 208, the Hon'ble court has enhanced rate of interest from 6% to 7.5% per annum from the date of filing of the claim application.

The Railway Compensation:-

Coram - Hon'ble Mr. Justice Kailash Prasad Deo

Smt. Tetri Devi Vs. U.O.I

M.A. No. 148 of 2018

The Railways Act, 1989 – untoward incident- Compensation – Instant appeal filed against the dismissal order passed by Railway Claims Tribunal, Ranchi denying the compensation on the ground that the deceased was not bonafide passenger and died due to his own fault – Held that the deceased was bonafide passenger, travelling with ticket which was exhibited as Exhibit- R1 in DRM's report and also as Exhibit -A/3. Further, the deceased fell from the running train because of push and pull of the passengers and thus the same is well covered in the purview of untoward incident u/s 123(c)(2) of the Railways Act, 1989. In the light of ratio laid down by the Hon'ble Apex court in the case Union of India vs. Prabhakaran Vijaya Kumar, reported in 2008(9) SCC 527, the court held that it is the absolute liability of the Railways to pay compensation to the claimants. Thus, awarded Rs 4 lacs along with 7.5% S.I, from date of claim application, to the claimants.

Coram: Sanjay Kumar Dwivedi, J.

Ajit Kumar vs. State of Jharkhand & Ors.

W.P. (Cr.) no. 226 of 2014

- A. The Constitution of India –Art. - 226-This petition filed under Art-226 of the Constitution of India - compensation to the petitioner for his illegal detention.
- B. Indian Penal Code, 1860- Ss.376 (D),302, 201,34 –offence registered under these sections against petitioner.



सत्यमेव जयते

- C. Code of Criminal Procedure, 1973 – S.164 -statement of alive woman.

That the CID has not found anything against the petitioner-He has been discharged by the learned court.

Held

Analyzing the various judgments of Hon'ble Supreme Court –Emphasis on - Torture, Private Reputation – Art-21 - it is crystal clear if the illegal detention is proved- the compensation under the Public Law Remedy can be granted by the court under Article 226 of the Constitution of India.

If the police officers had been little more careful in discharge of their duties, the petitioner would not have been deprived of his liberty. The police has a duty to ensure that outlaws are firmly dealt with in accordance with law. But it must confirm to the rules of law and the mandate of the Constitution of India in its functions and if it would go beyond the law to do anything in the name of Administration, it would shake the very foundation of a Constitutional democracy. Thus, the case of the petitioner is maintainable under Article 226 of the Constitution of India under the Public Law Remedy. The Court held that if the case is made out for interference under Article 226 of the Constitution of India, the public law remedy is available to the petitioner. The petitioner was illegally arrested accordingly, the case of compensation is made out. Rs. 5,00,000/- (rupees five lakhs) in favour of the petitioner - compensation for illegal detention.

Coram: Sanjay Kumar Dwivedi, J.

Pushpa Dave @ Devi & Ors vs. Sri Udai Kumar Rajgarhia & Ors.

S.A No. 180 of 2002

- A. Civil Procedure Code ,1908 –order 9 rule 13 - It was the case of the appellants that the decree in the original court was passed ex parte that is why the petition was filed-order 22 rule 11 r/w rule 4 - makes it obligatory to seek substitution of the heirs and legal representatives of deceased respondent if the right to sue survives - Sub-rule (2) of Rule 9 of Order 22 enables the party who is under an obligation to seek substitution to apply for set aside the abatement-also referred sec 151.
- B. The Limitation Act,1963 –sec-5-condonation of delay-“sufficient cause.”

Brief fact-For declaration of their right over the suit property and for confirmation of



possession -This second appeal has been filed being aggrieved and dissatisfied in Title Appeal. which was preferred against the judgment and decree passed in Title Suit.

Held

The court should not allow an application for condonation of delay until and unless the applicant satisfies the court that he was prevented by any 'sufficient cause' from prosecuting the case –Also Reference, Halsbury's Laws of England, Vol. 28, p. 266: "605. Policy of the Limitation Acts"- The statute of limitation is founded on public policy, its aim being to secure peace in the community, to suppress fraud and perjury, to quicken diligence and to prevent oppression...", -that the party should not have acted in a negligent manner or there was a want of bona fide on its part in view of the facts and circumstances of a case or it cannot be alleged that the party has "not acted deliberately" or "remained inactive". Conclusion, the court held that there is no illegality in the order of the appellate court – accordingly second appeal dismissed.

Coram: Sanjay Kumar Dwivedi, J.

Dr. Vijay Kumar vs. State of Jharkhand & Anr.

Cr.M.P. No. 588 OF 2013

- A. Indian Penal Code, 1860 –cognizance -Ss. 341, 323, 427, 504, 34 and in protest petition, 304-A/34
- B. Code Of Criminal Procedure, 1973- Ss.190 (1) ,200, 202 and also 482 for quashing.

Criminal Miscellaneous petition - for quashing of entire criminal proceeding - order taking cognizance by the learned Chief Judicial Magistrate- Also for quashing of order passed by the learned Sessions Judge-I, Criminal Revision whereby it has been dismissed as not maintainable.

Held

There is no doubt that once the final form is submitted, the learned Magistrate is having four options:- (1) He may agree with the conclusion of the police and accept the final report and drop the proceeding. (2) He may take cognizance under Section 190(1)(b) Cr.P.C. and issue process straightaway to the accused without being bound by the conclusion of the investigating agency where he is satisfied that upon the facts discovered by the police, there is sufficient ground to proceed. (3) He may order for further investigation if he is satisfied that the investigation was made in a perfunctory manner. (4) He may without issuing process and dropping the proceedings under Section 190(1) (a) Cr.P.C. upon the original complaint or



protest petition treating the same as complaint and proceed to act under Sections 200 and 202 Cr.P.C. and thereafter whether complaint should be dismissed or process should be issued.

“It is well known that inspite of best effort made by the doctor sometime they are not successful and this does not mean that doctor must be held guilty. The Court comes to the conclusion that the case of the petitioner is fully covered with the aforesaid two judgments of the Hon’ble Supreme Court.” - cognizance orders –set aside.

Coram: Sanjay Kumar Dwivedi, J.

Mrs. Sangita Devi & Ors. V. Union of India
M.A. NO. 319 OF 2013

- A. Indian Penal Code, 1860 – Ss- 304/34 –Offence registered against unknown persons.**
- B. Code of Criminal Procedure, 1973 - sec-197-Discharge of official duty.**
- C. The Railways Act, 1989-sec-123(c) - “untoward incident”-124-A-compensation.**
- D. The Constitution of India- Art. 21 - Referred.**

Miscellaneous Petition –filed by widow, lost her husband in an assault by the Railway Police personnel during train journey- by the said personnel- noted-The widow’s claim was dismissed by the Railway Claims Tribunal on the ground that FSL report stated that aluminium phosphide, a strong gastro intestinal irritant poison was detected in deceased’s viscera-High Court found in post mortem report of deceased- death has occurred due to injury (swelling and bruises on the head) inflicted during the assault- deceased and appellant were bona fide passengers.

Held

“There is no dispute that under the Act there is statutory liability of the railway administration for death and /or injury of a passenger due to any untoward incident while travelling in train. Besides, it is a breach of common law duty of reasonable case which lies upon all carriers including the railways. The standard of case is high and strict. Where there is a complete dereliction of duty of railway officials which resulted in a precious life been taken away rendering the guarantee under Article 21 of the Constitution illusory.”- beneficial or welfare statute are capable of two constructions, the one which is more in consonance with the object of preferred- beneficial or welfare statutes should be given a



liberal and not literal or strict interpretation.

Conclusion -Entitlement to compensation under - due to death occurred in an 'untoward incident' and entitled to compensation, Rs. 4,00,000/- as per the last Rules in view of Rule-3 Schedule-II of Railway Accident and Untoward Incidents (Compensation) rule, 1990 with interest- Accordingly, appeal allowed.

Coram: Sanjay Kumar Dwivedi, J.

Yogendra Saw @Yogendra Sao & Anr. vs. State Of Jharkhand & Ors.
W.P. (Cr.) No. 376 of 2018

A. Indian Penal Code, 1860 - Ss.171(B),(C),(E),(F) – offence registered.

B. Prevention of Corruption Act, 1988 - referred.

C. The Constitution of India- Art. 226 - for transfer.

This petition has been filed for transfer the investigation -from the court of Judicial Magistrate, 1st Class-IV, Ranchi to the C.B.I. and prayer also for add other sections of the I.P.C. and Prevention of Corruption Act.

Contention referred- there are decisions of Hon'ble Supreme Court and this High Court to hand over the case to the C.B.I where the higher officials of the State are involved in the crime.

Held

To transfer the case to the C.B.I. that can happen only in extreme cases which would be rare and that power of the High Court is not exercisable in cases like the present where it may be debatable whether the direct accusation made in conjunction with the attendant circumstances, if proved to be true, is likely to result in conviction-Observed- under the criminal jurisprudence the superior court has jurisdiction under section 482 Cr.PC or even under Article 226 of the Constitution of India to direct further investigation, fresh or de-novo and even re-investigation, however, it is also well settled principle that this power has to be exercised by the superior courts very sparingly and with great circumspection.

Analysis the parameters - The case is not within parameters to handover the case to the C.B.I- extraordinary power of the constitutional Courts for such- rarely in exceptional circumstances, especially, when there is lack of confidence in the Investigating Agency or in the National Interest and for doing complete justice in the matter- conclusion- not finds any material for referring - Accordingly-petition dismissed-also held ,it expects that the investigating agency will take "hectic steps in its right direction to conclude the investigation".



Coram: Gautam Kumar Choudhary, J.

Shahshi Bhushan Singh (With) Krishna Kanhaiya Rajhans vs. Union of India through Central Bureau of Investigation CBI

Cr. Revision No. 549 of 2020 7 Cr. Revision No. 528 of 2020

Petitioners were posted as Revenue Karmchari (Halka Karmchari) in the year 2006-08 and the Circle Officer, Ratu Circle, Ranchi during the period of 2006-07 respectively, were involved in processing of mutation cases of M/s. Sanjeevani Housing Company Limited and recommended for mutation in its favour knowing fully well that the land was already recorded in the name of **SAIL Employees Co-operative Housing Societies Limited**. In conspiracy with M/s. Sanjeevani Housing Company, he dishonestly opened separate pages in Register-II and made entries in respect of the aforesaid properties in the name of said Company and thereby falsified the records.

Decision and Observation

Petitioner in Cr.P.C. has been exonerated of the charge in the department proceeding. In view of the department proceeding, the petitioner is not liable to be charged for the offence. Every public office is a trust and any statutory duty whether of recommendation or passing a final order is to be discharged with a degree of responsibility. Thus public servant abnegates their personal liability for the official act discharged by them. In this way, huge chunks of land were mutated in the name of private housing company without any supporting document. To hold otherwise will be against the very principle of stare decisis applicable in criminal law. Even a judgment rendered by a Civil Court is not binding on the Criminal Court and vice-versa as held in **Kishan Singh vs. Gurpal Singh, (2010) 8 SCC 775**. Further, even the departmental proceeding was not decided on merit, but because certain documents like the record of right were not produced by the presenting officer. Both the Criminal Revision petitions are dismissed.

Coram : Hon'ble Mr. Justice Gautam Kumar Choudhary

M/S Mideast Integrated Steels Ltd. (MESCO Steel Ltd.) & Ors. vs. State of Jharkhand and Anr.

CR.M.P. No. 1744 of 2022

Facts

Petitioners induced the opposite party no. 2 to enter into contract for supply lime stone lumps and in pursuance of it, issued purchase order in the office of the opposite party no 2, situated at Sonari, Jamshedpur, for supply of quantity worth Rs. 67,00,000/-. The



payment mode was “material cost” will be paid after 60 days from the date of issuance of R/R. The opposite party no. 2 accepted the order and supplied 3690.87 MT lime stone by the accused persons worth Rs. 64,92,862.55/- from Paradip port by railway rake on 21.07.2015. The supply of the material after expiry of 60 days and 6 lakhs paid to opposite party no. 2. After that several occasions, demanded the balance payment amount.

Observations

It is case of cheating and prime facie fraudulent or dishonest. Purchaser was entrusted with the property of the seller without entrustment of property. There can be civil remedy for the non-payment of the consideration amount. If they are taken at their face value and accepted in their entirety do not prime facie constitute any offence of cheating, criminal breach of trust or of criminal conspiracy. This case is yet another instance if a purely civil dispute regarding non payment of sale amount and as per the case of Vijay Kumar Ghai vs. State of Bihar of W.B. (2022) 7 SCC 124, civil dispute through criminal prosecution should be deprecated and discouraged. Criminal miscellaneous petitioner is allowed.

Coram: Gautam Kumar Choudhary, J.

Sanjay Kumar Agarwal vs. Central Bureau of Investigation,

Anti Corruption Bureau, Dhanbad

Cr.M.P. No. - 1048 of 2021

(Petition has been filed for quashing of entire criminal proceeding instituted against the petitioner as per that petitioner is an “insolvency professional” and not a public servant within meaning of Section 2 (c) of PC ACT or under Section 21 of the IPC.)

Facts

The petitioner is an “insolvency professional” that Financial Creditor are SBI for Rs 1,35,39,27,277 and operation creditor is Damodar Valley Corporation for Rs. 6,28,31,085/- NCLT. The complainant Amit Sarawgi (corporate debtors) of M/s. Adi Ispat (P) Ltd. is alleged that petitioner had demanded a bribe of Rs 2 lakhs per month for showing leniency insolvency resolution process for extending CIRP process from 9 months to 2 years and also demanded Rs. 20 lakhs for abstaining favorable forensic audit/valuation report from chosen. Forensic Auditor /value and helping in re-possession of plant/company also that offered that SME.

As per the Hon’ble SC in case **Arcelor Mittal India (P) Ltd. Vs. Satish Kumar Gupta, (2019) 2 SCC 1** and **Asian Resurfacing of Road Agency (P) Ltd. Vs. CBI, (2018) 16 SCC 299** wherein meaning of PUBLIC SERVANT in section 2(c) of the Act is wide and expansive. It is not



limited to those serving under the government or its instrumentalities and drawing salary from the public exchequer. It is true that Resolution Professional did code deemed to be public servant. Insolvency and bankruptcy code is self contained code but only the matter provide therein. As his functions these are the nature of public duty and therefore will come within meaning of public servant both Under 2(c) (v) & viii of the PC act.

The plea that the petitioner was not a public servant within the meaning of the PC act is rejected and Criminal Miscellaneous petition does not fulfil the parameters for quashing and, accordingly, stands rejected.

Coram: Gautam Kumar Choudhary, J.

National Insurance Company, Ramgarh vs. 1. Kulsum Khatoon,

and 2. Ejazul Haque

M.A. No. 83 of 2011

(The instant appeal is preferred under Section 30(1) of the Workmen's Compensation Act by the National Insurance Company against the award by the Commissioner Workmen's Compensation Act, Hazaribagh, for compensation of Rs. 1,35,560/-)

Facts

The deceased had gone missing with the truck - whereas the case was registered under Sections 364 and 379 of the IPC. This appeal has been filed by the widow and minor children of the deceased Abdul Razzaque and Ganesh Kodrala who were murdered by dacoits and the truck was taken away by them. The deceased was kidnapped and murdered during the course of employment, which will not come within the meaning of accident and accordingly the Insurance Company.

It is undisputed that the driver was the father and the owner of the truck was his son. He was abducted along with the truck and murdered. Murder cannot be termed accidental. The policy of insurance under the Employees Compensation Act is intended to cover unintentional accidents and not intentional acts which are homicidal in nature. To accept a proposition that any death which occurs during course of employment can be termed to have a causal relationship to the nature of employment will be against the object and purport of the Act. The substantial question of law is accordingly answered in favour of the Appellant/Insurance Company. The appeal is allowed. The Insurance Company is permitted to withdraw the statutory amount.



Coram: Gautam Kumar Choudhary, J.

Braj Kishore Sahu & Ors. and Shri Tribhuwan Nath Sahswa & Ors.

Second Appeal No. 114 of 2004 (With)

Second Appeal No. 117 of 2004

Appellants are the plaintiffs in both these appeals who are before this Court. The defendant from redeeming the mortgage property comprising land measuring 1.28 acres fully detailed in both the plaints. The plaintiffs brought the suit for foreclosure of the mortgage against the defendant. The mortgage deed was executed by father of the plaintiff for a sum of Rs. 2000/-. The mortgage deed was that the property shall be redeemed within five years of the mortgage, failing which the mortgage deed would be deemed to be of absolute sale. The mortgagor failed to repay the amount of Rs. 2000/- within the stipulated period. The defendant that mortgage money of Rs.200 of the defendant that mortgage money of Rs. 2000/- and the plaintiff was able to pay amount because of their income.

As per the case L.K. Trust vs. EDC Ltd., (2011) 6 SCC 780 and Ganpati Babji Alamwar vs. Digambarrao Venkatrao Bhadke, (2019) 8 SCC 651 in accordance with Section 58(c) of the Act, will the agreement as a mortgage by conditional sale. The valuation of the property, and the transaction value, along with the duration of time for re-conveyance, are important considerations to decide the nature of the agreement. The language used in the agreement may not always be conclusive.

Limitation for redemption was in conflict with the provision of Article 61 (a) of the limitation and was a clog on the equity of redemption. There was no infirmity in the order of the learned appellate Court to hold that the mortgagor had a right of redemption for a period of thirty years. The substantial question of law is accordingly answered in favour of the defendant/respondent. Both the appeals are, accordingly, dismissed with cost.

Coram: Navneet Kumar, J.

Rohit Rai vs. State of Jharkhand

Cr. Appeal (SJ) No. 479 of 2019 (Decided on 24.02.2023)

This appeal is against the judgment of conviction and the order of sentence dated 12.04.2019 passed by Id. Additional Sessions Judge 1st, Jamtara in Sessions Trial Case No. 74 of 2017 whereby and where under, the learned Additional Sessions Judge 1st, Jamtara has convicted the appellant under section 363 of the Indian Penal Code.

It is well settled that the offences which are non-compoundable cannot be compounded by a Criminal Court under the Section 320 of the Cr.P.C. In spite of that there is a scope of



compounding the offences by invoking inherent powers of the High Court vested under Section 482 of Cr.P.C. to prevent abuse of the process of any court and/or to secure the ends of justice by taking into consideration the circumstances surrounding the incident, the manner and mode under which the compromise has been arrived at between the parties, and further due consideration to the nature and seriousness of the offence, in addition to the conduct of the accused, before and after the incident.

In this case no such offence has been committed by which the society at large is going to be affected and it is also admitted during the course of the trial, the victim had been in love with appellant and over a period of time they have solemnized the marriage and now they are leading a married life. In the backdrop of this case, the impugned judgment of conviction and order of sentence against the appellant is set aside and this appeal is allowed as compounded.

Coram: Navneet Kumar, J.

M/s Sri Ram Enterprises a Partnership Firm & Anr. vs. Union of India & Anr.

Cr.M.P. No.3970 of 2018 With Analogous Cases (Decided on - 22.02.2023)

Facts

In all the aforesaid Cr.M.Ps. the petitioner and the opposite parties are the same and similar question of law and facts are involved for different Financial Years (F.Y.) namely, F.Y. 2012-13, F.Y.2013-14 and F.Y. 2014-15 with respect to initiation of prosecution case under sections 276-B & 278-B of the Income Tax Act, 1961. The cognizance of the offences under sections 276-B and 278-B of the Income Tax Act, 1961 has been taken against accused/petitioners by learned Special Judge, Economic Offences, Dhanbad. The allegation against them is that the TDS amount has been deducted by the said partnership firm, but failed to deposit in time to the credit of central government as per the provisions of the Act without any reasonable cause for the financial years 2012-13, 2013-14 & 2014-15.

Observation & Findings

It is well settled principle of law that the purpose of issuance of show cause notice before launching criminal prosecution in terms of the provisions of section 276 B and/or section 278B of the act is to verify the genuineness, reasonableness and acceptability of the cause shown by the assessee for the alleged delay caused in depositing TDS amount in spite of having deducted from the concerned parties to the credit of the central government well within the prescribed time limit. It is so because such a prior consideration is a condition precedent for institution of a criminal case so as to subject the concerned assessee to punishment in terms of the provisions of the act. Such condition is prescribed in section 278 AA of the act which requires prior satisfaction of the sanctioning authority as regards



fitness of a particular case for launching of criminal prosecution.

It is crystal clear from the admitted fact that the petitioners have voluntarily stepped ahead to deposit the entire TDS amount collected for the financial years 2012-13, 2013-14 & 2014-15 to the credit of central government with the delay of two to eleven months along with the interest and late filing fee and they are much before the show-cause notice dated 05.12.2017

It is well settled principal of criminal jurisprudence that the basic ingredients required for the purpose of criminal prosecution of a person in such type of cases is the existence of guilty / wrongful / dishonest mind / intention behind the incriminatory act. It is not automatic and technical that failure in strict adherence to a particular procedure prescribed in law would attract criminal liability and push the person concerned towards prosecution. Section 278-AA of the Act specifically emphasizes on a test to be carried out to adjudge as to whether the default committed by the assessee has been intentional or attributable to the factors beyond his control giving rise to a reasonable cause. It appears from the sanction order that no such wrongful / guilty or dishonest intention has been pointed out by the opposite parties against the petitioners.

It is pertinent to mention that there was no wilful default or mala fide intention on the part of the petitioners inasmuch as it is admitted position that before the issuance of show-cause notice the entire TDS amount to the credit of the central government with interest and late fine have been deposited by the petitioners for all financial years. In this backdrop, the petitioners are entitled to get the relief from being prosecuted by virtue of the categorical provisions of sections as provided in 278 AA of the Income Tax Act and the circular of the CBDT No F.No.255/339/79-IT (Inv.) dated 28.05.1980.

Coram: Navneet Kumar, J.

Pravesh Kumar vs. State of Jharkhand

Cr. Revision No.453 of 2022 (Decided on 30.01.2023)

This Criminal Revision has been filed against the order dated 14.03.2022, by which, the learned court below has rejected the discharge petition filed by the petitioner in connection with Khunti P.S. Case No.43 of 2019, registered u/Ss 8, 15, 25 and 29 of NDPS Act, 1985.

Huge quantity of poppy straw weighing 1438.900 Kilogram was found in a loaded truck and the five accused persons, including this petitioner, were escorting the said poppy straw loaded truck by an ALTO Car & nothing has been recovered from the ALTO car and all the contraband alleged to have been recovered from the said truck.

It is well settled principle of law that at the time of framing of charge, the court has to



सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

see the commission of the offence by the accused and not to a ground of convicting the accused. There should be sufficient prima facie material to presume that the accused has committed an offence triable by the court and at the time of framing of the charge, a court in its revisional jurisdiction cannot go into the details of the merit of the case or to balance the weight of the evidence or to discuss the evidences so as to see that any case could be finally proved against the accused or not. The court is not concerned with the proof of the allegations or ultimate outcome of the trial at this stage and there is no occasion to examine the merit of the allegations at the time of framing of charge. This Criminal Revision is dismissed being devoid of merit.

Coram: Navneet Kumar, J.

***Mr. Naresh Kumar Goyal Managing Director of M/s. Maiden Pharmaceuticals Limited
vs. State of Jharkhand & Anr.***

Cr.M.P. No. 2716 of 2019

Decided on-13.02.2023

This Cr.M.P.- against the order dated 22.07.2016 passed by learned CJM, Bokaro- whereby and where under the Court below has passed the summoning order under Sections 27(d) of the Drugs and Cosmetics Act, 1940 read with u/s 18(a), (i), (vi) and 18 (b) of the Drugs and Cosmetics Act, 1940 - against the then Managing Director of M/s. Maiden Pharmaceuticals Limited (petitioner). Held- neither the company has been arrayed as party nor has any specific allegation been made against the managing director (petitioner) of the company- when the company has not been arrayed as a party, no proceedings can be initiated against it even where vicarious liability is fastened under the Act- it is well settled principle of law that summoning order is to be issued in a criminal case not in a routine manner but after proper application of judicial mind and going through the records of the case including the documents at least prima-facie role of the petitioner in the commission of the offence and other materials on record- but from the impugned order it appears that it was a typed order upon which the presiding Judge has just written cognizance and passed the impugned order in a mechanical manner without disclosing the specific role of the petitioner in the commission of the offence- and order is also a non-speaking order and misconceived- Section 34 of the Act clearly mandates about the provision of vicarious liability and therefore, in this view of the matter the Director of the Company cannot be prosecuted in isolation without prosecuting the company. The entire criminal proceeding as well as the order dated 22.07.2016 is hereby quashed and Cr.M.P. allowed.



Coram: Navneet Kumar, J.

Riten Choudhary & Anr. vs. State of Jharkhand & Anr.

Cr.M.P. No.- 3756 of 2018 (Decided on. 02.03.2023)

Facts

This instant Cr.M.P. was preferred for quashing the entire criminal proceeding in connection with C2/1256 of 2017 including the order dated 06.05.2017, passed by the Court of learned Judicial Magistrate, 1st Class, Jamshedpur, wherein the Court below has taken the cognizance for the offence punishable under Section 7-A(2)/92 of the Factory Act, 1948.

Findings

While appreciating the facts put on before the Court, the Court discussed the provisions contained u/Ss. 7-A (2) of the Factories Act, 1948 and found that there was no lacuna or any negligence on the part of the Petitioners. The Petitioners had duly circulated the Standard Operating Procedure (S.O.P.) to all the employees and workmen working at the Factory. Moreover, M/s Tata Bluescope Steel Limited also conducted an internal enquiry and investigated about the accident and found that the accident had taken place due to violation of the S.O.P. by the injured himself. The Court further found that it was an act of negligence on the part of the injured himself and for this purpose, analyzed the provision of Rule 55-A (2) of the Bihar Factory Rules, which provide that no person or work shall be carried on in any factory and no person shall be allowed to work on any process or any machinery, plant or equipment or in any part of a factory or in any other work in such manner as may, or is likely to cause any accident or any bodily injury.

Therefore, the Hon'ble Court, while allowing the Criminal Miscellaneous. Petition, held that the injured workman being the shift in-charge entered into the area without observing the Standard Operating Procedure and the same resulted into the accident, for which no violation of any provisions of the Factory Act or Rules can be presumed nor the employer or occupier can be held responsible.

Section 304B and 201 of IPC

Coram: Sanjay Prasad, J.

Rijho Yadav @ Rijho Mahto vs. State of Jharkhand

Cr. Appeal (S.J.) No.- 757 of 2006

While dealing with the appeal of the appellants who were convicted and sentenced vide judgment dated 18.05.2006 passed in S. T. No. 100 of 2003 whereby the appellants have



सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

been convicted for the offences u/s 304B and 201 of IPC and are sentenced to undergo simple imprisonment for seven years, held that the Informant who is P.W. -1 in this case has not supported the case of the prosecution, he deposed that the deceased was married with her husband Suresh Yadav eight years ago, therefore as per evidence of P.W. -1 the death has taken place after eight years of marriage hence the provisions of Section 304B are not made out against the appellants and he was also declared hostile by the prosecution. Even other witnesses i.e. P.W - 2 to P.W – 6 have also not supported the case of the prosecution and were declared hostile by the prosecution. P.W. – 7 who is the Investigating Officer of this case has proved the seizure list i.e marked as Ext.2 and has also proved fardbeyan in his writing i.e. marked as Ext.3. It is also well settled that the conviction should not be done on the basis of hostile witnesses and merely on the evidence of the Investigating Officer, therefore, judgment of conviction and sentence dated 18.05.2006 is hereby set aside and Appellants were acquitted for the offence under sections 304B and 201 of the IPC.

Section 125 of Cr.P.C:

Coram: Sanjay Prasad, J.

Dr. Sidhartha Sinha@Siddarth Sinha vs. State of Jharkhand & Ors.

Cr. Revision No.- 300 of 2022

While dealing with the case of the petitioner who had challenge the order dated 18.08.2021 passed by the learned Principal District Judge- cum-Family judge, Ramgarh in Original Maintenance Case No.- 89 of 2015 whereby the maintenance u/s 125 of Cr.P.C. has been allowed on behalf of wife by directing husband to pay Rs. 20,000/- per month from the date of application i.e. 22.04.2015 held that from the record it is evident that the maintenance amount of Rs. 20,000/- per month passed by the learned Court below in favour of the Opposite Party No.- 2 is excessive as the Opposite Party No.- 2 has failed to prove the actual income of the petitioner before the pronouncement of the impugned order. Therefore, this court is inclined to partly set aside the impugned order by modifying it to the extent that the petitioner shall pay Rs. 10,000/- per month instead of Rs. 20,000/- per month from the date of the filing of the application under section 125 Cr.P.C.

Section 227 of Cr. P. C.:-

Coram: Sanjay Prasad, J.

Gurumukh Singh Mukhe@Gurmukh Singh Mukhe vs. State of Jharkhand & Ors.

Cr. Revision No.- 162 of 2021

While dealing with the case of the Petitioner who had challenged the order dated 09.02.2021 whereby the learned Court below had rejected the discharge petition filed



u/s 227 of Cr.P.C held that the defence of the accused person cannot be looked into at the stage of framing of charge and meticulous examination of the statement of the witnesses has not to be done at the stage of framing of charges by the learned court below. Hence the aforesaid order passed by the learned court below required no interference.

Section 25 (1-B) a/26/35 of the Arms Act:-

Coram: Sanjay Prasad, J.

Mukesh Kumar @ Mukesh Kumar Mahto vs. State of Jharkhand
Cr. Revision No. 1726 of 2006

While dealing with the case of the petitioner who had challenged the order dated 07.09.2019 passed by the learned Sessions judge, Hazaribag in Criminal Appeal whereby the appellate court affirmed the judgment of conviction and sentence dated 09.09.2016 passed against the petitioner u/s 25 (1-B) a/26/35 of the Arms Act and sentenced to undergo Rigorous Imprisonment for one year and six months with fine of Rs.1000/- held that after scrutinizing the evidence of P.W 1, it appears that he had not deposed that under what circumstances the fire arms were produced before him by the informant as well as by the Investigating officer and even the seizure list witnesses are also police personnel. Therefore, there evidence are not trust worthy and even from the deposition of P.W 2 who is the informant of the case, it transpire that the seized material were not sealed at the place of occurrence which is in complete violation of the judgment passed by the Hon'ble Supreme court. Thus, considering the facts it appears that recovery of arms is doubtful. Hence the appellate order dated 07.09.2017 and Judgment of conviction and sentence dated 09.09.2016 passed by the learned court below are hereby set-aside.

Section 125 of Cr.P.C.

Coram: Sanjay Prasad, J.

Abhiroop Pathak vs. State of Jharkhand & Ors.
Cr. Revision No.- 78 of 2022

While dealing with the case of the Petitioner who had challenged the order dated 04.12.2021 passed by the learned Principal Judge Family Court, Dhanbad whereby the petition filed by the opposite party no. 2 (i.e. wife) U/s 125 of Cr.P.C. for maintenance has been allowed and petitioner is directed to pay Rs.25000/- per month to the opposite Party no.2, held that the petitioner has not given correct picture of his income as he has stated about his annual income is Rs. 8,62,810/- whereas as per the supplementary



counter affidavit filed on behalf of the Opposite Party No.- 2, the annual income of the petitioner for the year AY 2020-21 is Rs. 15,03,363/-. There was no proof of income of the petitioner before the learned Court below and now the both the sides have filed I.T.R. showing income of the petitioner and as such, this Court is of the view that there is no useful purpose for remitting back the matter to learned Court below to lead evidence as it will only complicate the issue, when the income of the petitioner has been brought on the record by filing the I.T.R. by the Opposite Party No.2 (wife). Therefore, I find not illegality has been committed by the learned Court below while passing the amount of maintenance i.e. Rs. 25,000/- to the wife i.e. Opposite Party No.- 2 from the date of presentation of the case filed u/s 125 of Cr.P.C.

Anticipatory Bail:

Coram: Pradeep Kumar Srivastava, J.

Om Prakash Dehri vs. State of Jharkhand
A.B.A. No. 5857 of 2022 (Dated: 12.06.2023)

Indian Penal Code, 1860—Sections 376, 493 and 313—Criminal Procedure Code, 1973—Section 438—Rape, deceitful cohabitation and causing miscarriage—Anticipatory bail application—Allegation that petitioner has sexually exploited informant on false pretext of marriage and he had got her pregnancy aborted thrice—It is further alleged that petitioner made obscene videos of informant and started blackmailing her and at the end, he denied to marry with her—It is further alleged that petitioner has solemnized marriage with another girl—There was love-affair between informant and petitioner since long span of time—Both stayed together and indulged in sexual activities on their own accord—Informant has never raised any objection against sexual indulgence—There is nothing on record showing abortion of victim lady—Considering facts and circumstances of case, privilege of anticipatory bail granted to petitioner. (Paras 4, 5, 6, 8 and 10)

Indian Penal Code, 1860—Sections 376, 493 and 313—Criminal Procedure Code, 1973—Section 438—Anticipatory bail application—There was love-affair between informant petitioner since long span of time—Both stayed together and indulged in sexual activities on their own accord—There is nothing on record showing abortion of victim lady—Privilege of anticipatory bail granted to petitioner.

Case Referred: Ansaar Mohammad vs. State of Rajsthan and Another, 2022 SCC OnLine SC 886—Relied.

**Anticipatory Bail:****Coram: Pradeep Kumar Srivastava, J.**

John Beniscent Soren vs. State of Jharkhand

A.B.A. No 8245 of 2022 (Dated: 25.04.2023)

Indian Penal Code, 1860—Sections 376 and 313—Criminal Procedure Code, 1973—Section 438—Rape and causing miscarriage—Anticipatory bail application—It is alleged that petitioner has established physical relationship on false assurance of solemnisation of marriage with informant-victim lady—There was live-in-relationship between informant and petitioner for a period of 4 years—Victim girl solemnized marriage with another boy but there is no evidence of 2 dissolution of marriage in accordance with any customary law—Anticipatory bail granted.

Indian Penal Code, 1860—Sections 376 and 313—Criminal Procedure Code, 1973—Section 438—Anticipatory bail application—There was live-in-relationship between informant and petitioner for a period of 4 years—Anticipatory bail granted.

Case Referred: Arjun Singh Bhati vs. Mr. Himanshu Sharma, Cr. Appeal No.962 of 2022 arising out of SLP (CRL.) No.5326 of 2022 dated 14.07.2022—Relied.

Anticipatory Bail**Coram: Pradeep Kumar Srivastava, J.**

Sushil Kumar Barnwal vs. State of Jharkhand

A.B.A. No. 8321 of 2021 (Dated: 19.05.2023)

Indian Penal Code, 1860—Sections 376, 417, 506 and 34—Criminal Procedure Code, 1973—Section 438—Rape, cheating and criminal intimidation—Anticipatory bail application—There is direct allegation against petitioner that he developed intimacy with informant through marriage site and thereafter on false pretext of marriage and overpowering will of victim girl established sexual intercourse—Petitioner has taken advantage of vulnerable situation of victim and also squeezed money in name of purchasing flat and also as dowry—Frivolity in prosecution should always be considered and it is only element of genuineness that shall have to be considered in matter of grant of bail—Discretion under Section 438 of Cr.P.C. cannot be exercised with regard to offence punishable with death or imprisonment of life unless court at that very stage is satisfied that such a charge appears to be false or groundless—There is no plea of petitioner about consensual sexual intercourse rather there is flat denial of it—Question of consent of victim of sexual intercourse does not arise in this case as she was not willing from very inception and protesting against same—There are prima facie sufficient materials establishing offence of rape against petitioner—Defence version of petitioner is subject matter of trial—Anticipatory bail application rejected.



Indian Penal Code, 1860—Sections 376, 417, 506 and 34—Criminal Procedure Code, 1973—Section 438—Anticipatory bail application—Frivolity in prosecution should always be considered and it is only element of genuineness that shall have to be considered in matter of grant of bail.

Anticipatory Bail

Coram: Pradeep Kumar Srivastava, J.

Baby Chatterjee vs. State of Jharkhand
A.B.A. No. 8420 of 2022 (Dated: 22.02.2023)

Indian Penal Code, 1860—Sections 193, 386, 387, 418, 420, 468, 469, 506, 120B—Criminal Procedure Code, 1973—Section 438—Anticipatory bail application—Extortion and other charges—In course of investigation no evidence has been brought on record to establish fact that petitioner has conspired with other co-accused persons to extort money from informant—There is no allegation against petitioner constituting any of offences mentioned in F.I.R.—Main accused has been granted regular bail and co-accused has also been granted anticipatory bail by this Court—Case of petitioner stands on better footing—Petitioner is not named in F.I.R.— Considering facts and circumstances of case, nature of allegation coupled with materials on record, privilege of anticipatory bail granted to petitioner.

Indian Penal Code, 1860—Sections 193, 386, 387, 418, 420, 468, 469, 506, 120B—Criminal Procedure Code, 1973—Section 438—Anticipatory bail application—There is no allegation against petitioner constituting any of offences mentioned in F.I.R.—Privilege of anticipatory bail granted to petitioner.

Anticipatory Bail

Coram: Pradeep Kumar Srivastava, J.

Vijay Anand and others vs. State of Jharkhand
A.B.A. No. 10846 of 2022 with A.B.A. No. 10882 of 2022 (Dated: 05.05.2023)

Indian Penal Code, 1860—Sections 498-A, 323, 506 and 504—Criminal Procedure Code, 1973—Section 438—Anticipatory bail application—Cruelty, hurt, criminal intimidation and insult—Informant's marriage with petitioners took place in form of Arya Samaj rituals



in presence of parents and well-wishers of both parties and informant started discharging conjugal relationship with her husband at new matrimonial home—No complaint was ever lodged against petitioners by informant before any Authority or to his own parents or well-wishers—There are allegations and counter allegations showing haste decision by both parties in the matter of marriage without understanding each other—Both parties are divorcee prior to their present marriage—Petitioners 4 have complied the notice under Section 41(A) of Cr.P.C. and co-operating in investigation of case—Privilege of anticipatory bail granted to petitioner. (Paras 7 to 9)

Indian Penal Code, 1860—Sections 498-A, 323, 506 and 504—Criminal Procedure Code, 1973—Section 438—Anticipatory bail application—No complaint was ever lodged against petitioners by informant before any Authority or to his own parents or well-wishers—There are allegations and counter allegations—Privilege of anticipatory bail granted to petitioner.

*District
Judiciary at a
Glance*





*“Where there is
righteousness and moral
duty there is victory. Truth
alone I uphold.”*

Lord Krishna





सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

Statistics of the State of Jharkhand

Institution, Disposal and Pendency of Cases in District Courts from 01.07.2022 to 30.06.2023

Category	Pendency as on 01.07.2022	Institution (01.07.2022 to 30.06.2023)	Disposal (01.07.2022 to 30.06.2023)	Pendency as on 30.06.2023
Civil	90306	31417	36364	85359
Criminal	410438	277057	267270	*421577
Total	500744	308474	303634	*506936

Note: - (*)

December'2022:-

Opening balance of Criminal Cases had been rectified by the Judgeship of Dumka as 10888 instead of 9636.

January'2023:-

(i) Opening balance of Criminal Cases had been rectified by the Judgeship of Gumla as 7977 instead of 7772.

(ii) Opening balance of Criminal Cases had been rectified by the Judgeship of Hazaribagh as 28792 instead of 28897.

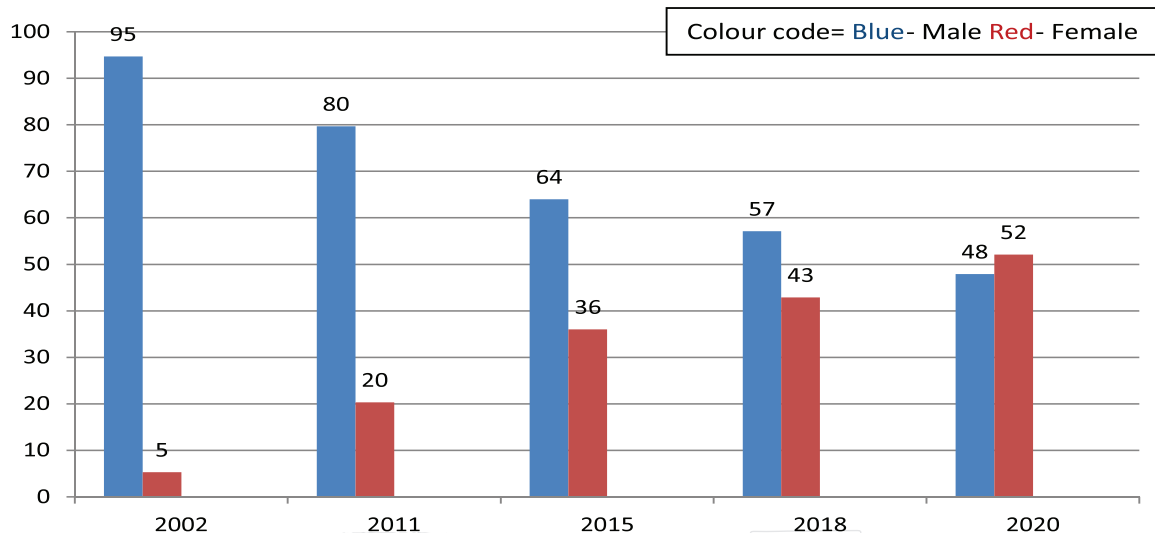
Analysis of more than 10 year old Cases as on 30.06.2023

Category	Number of cases older than 10 years
Civil	6764
Criminal	19164
Total	25928

Details of Judicial Officers in District Courts as on 30.06.2023

Sanctioned Strength	Working Strength	Vacancy
694	503	191

YEAR/Gender wise Appointment of Judicial Officers





Sanctioned strength, present working strength and vacancy position of Judicial Officers and Ministerial Staffs (Cadre-wise)

Judicial Officers (Cadre-wise)

Cadre of Judicial Officers	Sanctioned strength	Present working strength	Vacancy position
Principal District Judge	67	64	3
District Judge	171	112	59
Civil Judge (Senior Division)	155	149	6
Civil Judge (Junior Division)	301	178	123

Court Manager- Sanctioned Strength- 24 Working Strength- 19

Ministerial & Class-IV Staffs (Cadre-wise)

Cadre of Ministerial Staffs	Sanctioned strength	Present working strength	Vacancy position
Assistant	2143	1567	573
Stenographer	550	316	234
Typist	84	59	26
Deposition Typist	335	256	79
Driver	258	176	82
Peon	2128	1607	521



सत्यमेव जयते

HIGH COURT OF JHARKHAND

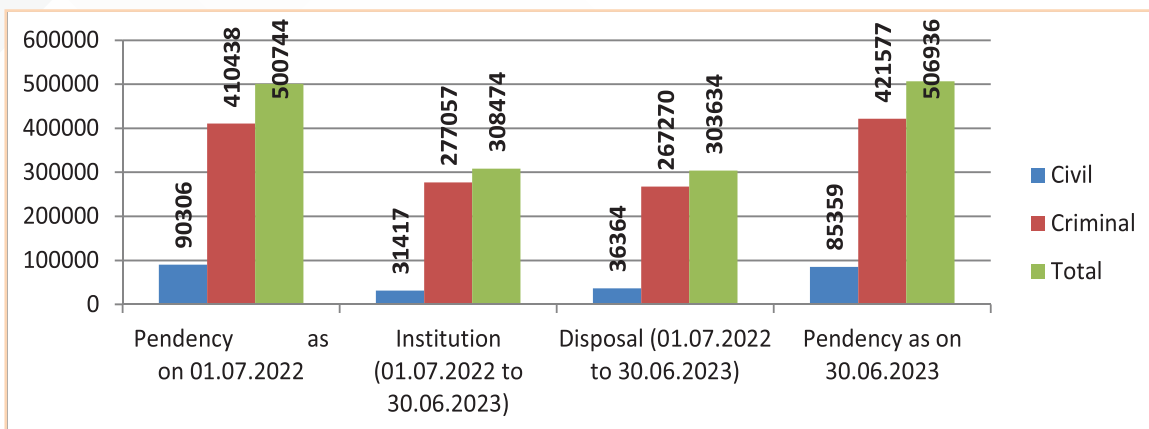
संवाद Newsletter

January - June, 2023 (VOL. : 01)

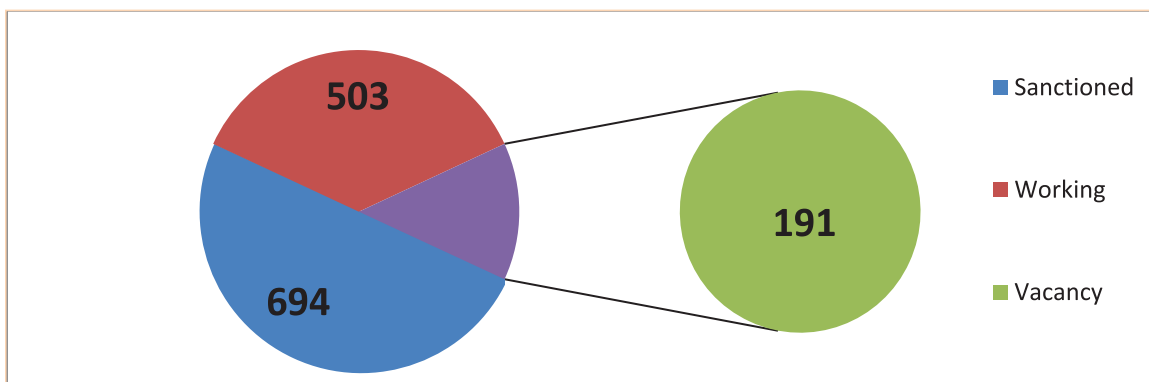
DISTRICT COURTS' STATISTICS

Institution, Disposal and Pendency of Cases in District Courts

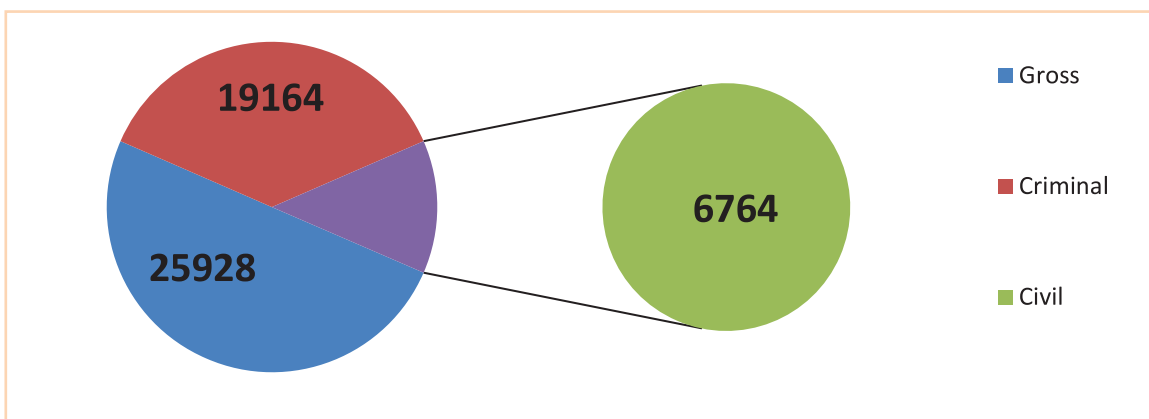
01.07.2022 to 30.06.2023



Details of Judicial Officers in District Courts as on 30.06.2023



Analysis of more than 10 years old Pending Cases as on 30.06.2023





Period: from 1st January 2023 to 30th June 2023

Category	Pendency as on 01.01.2023	Institution during 01.01.2023 to 30.06.2023	Disposal during 01.01.2023 to 30.06.2023	Pendency as on 30.06.2023
All Cases (including cases (more than 5 years old	504797	164577	162438	506936
Cases more than 5 years old	126161	NA	19834	129498
N. I. Act Cases	38072	5439	5064	38447
POCSO Cases	4403	1080	1258	4225
Cases related to Juvenile Justice Board	3769	867	990	3646
Cases related to Sexual Offences	6797	1485	1489	6793
Cases related to Crime (Against Women (FTC	7835	1267	1136	7966
Cases related to Family Courts	15998	7191	8272	14917
Special Courts Dealing Criminal Cases involving MPs/MLAs Act	199	19	63	155
Cases related to SC/ST Courts Designated	2200	438	503	2135



सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

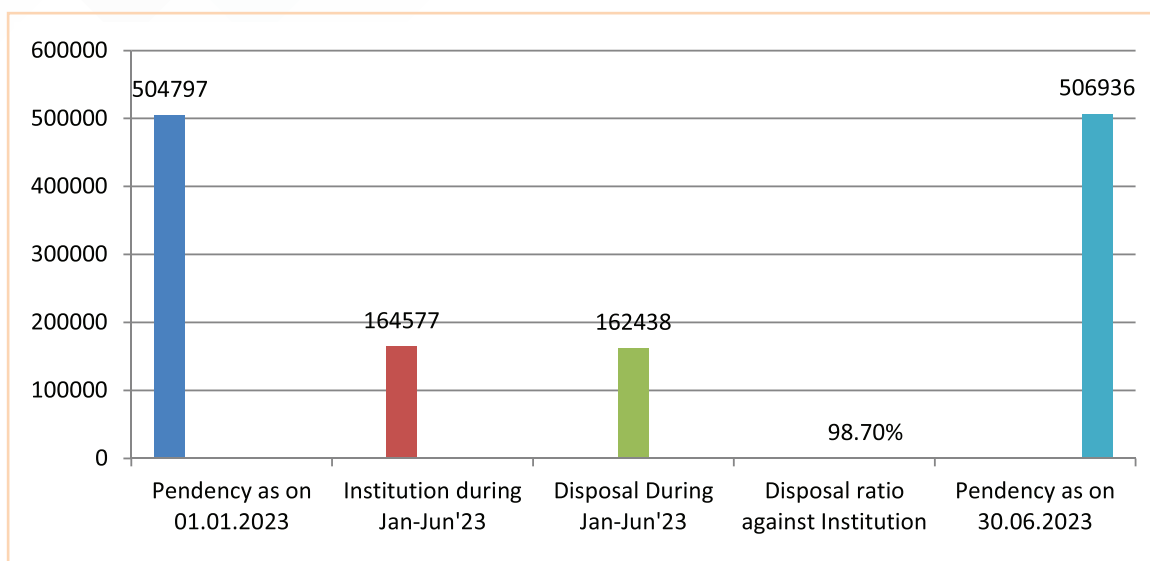
January - June, 2023 (VOL. : 01)

Performance of District Judiciary during the period

1st January 2023 to 30th June 2023

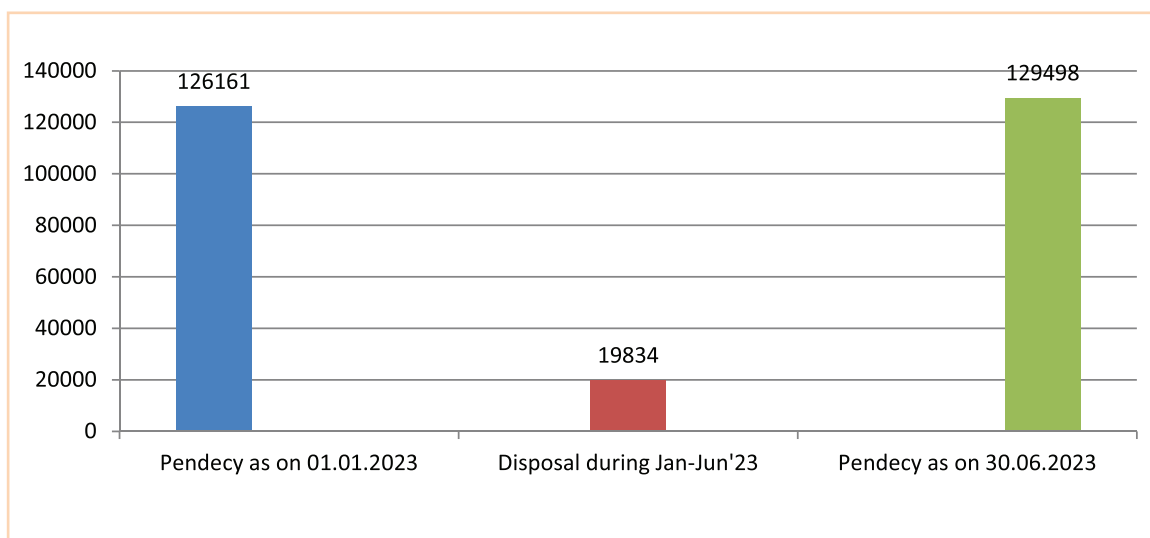
All Cases including cases more than 5 years old-

1. Graphical Presentation of the Overall Performance of the Sub-ordinate Judiciary of the State of Jharkhand during the period 01.01.2023 to 30.06.2023.



More than 5 Year cases

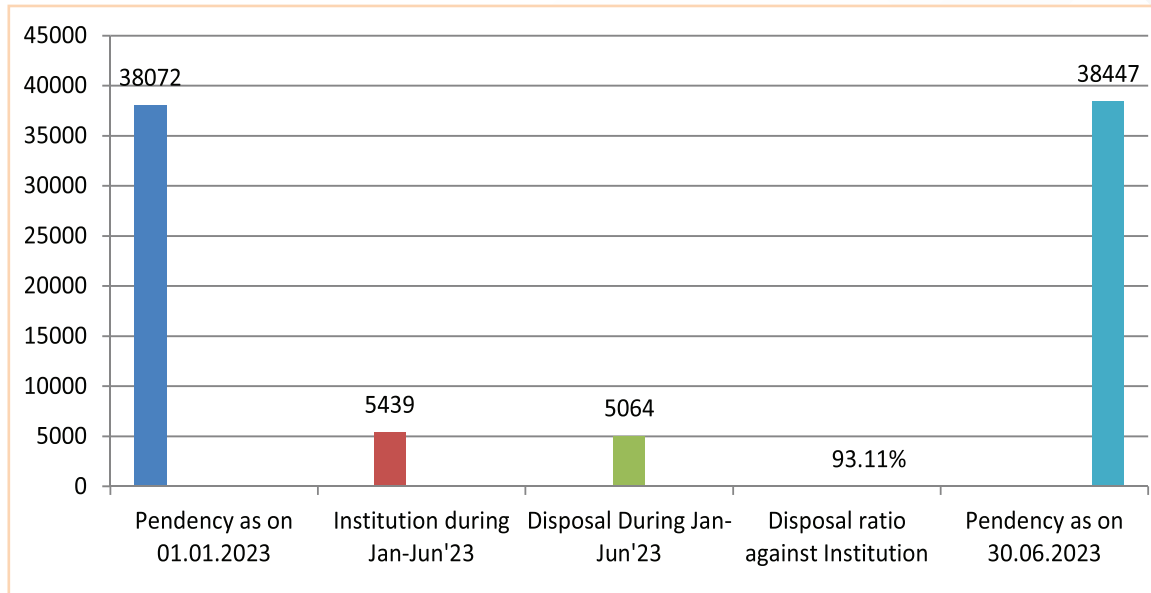
2. Graphical Presentation of the Performance of the Sub-ordinate Judiciary of the State of Jharkhand regarding cases which are more **than 5 years old** during the period 01.01.2023 to 30.06.2023.





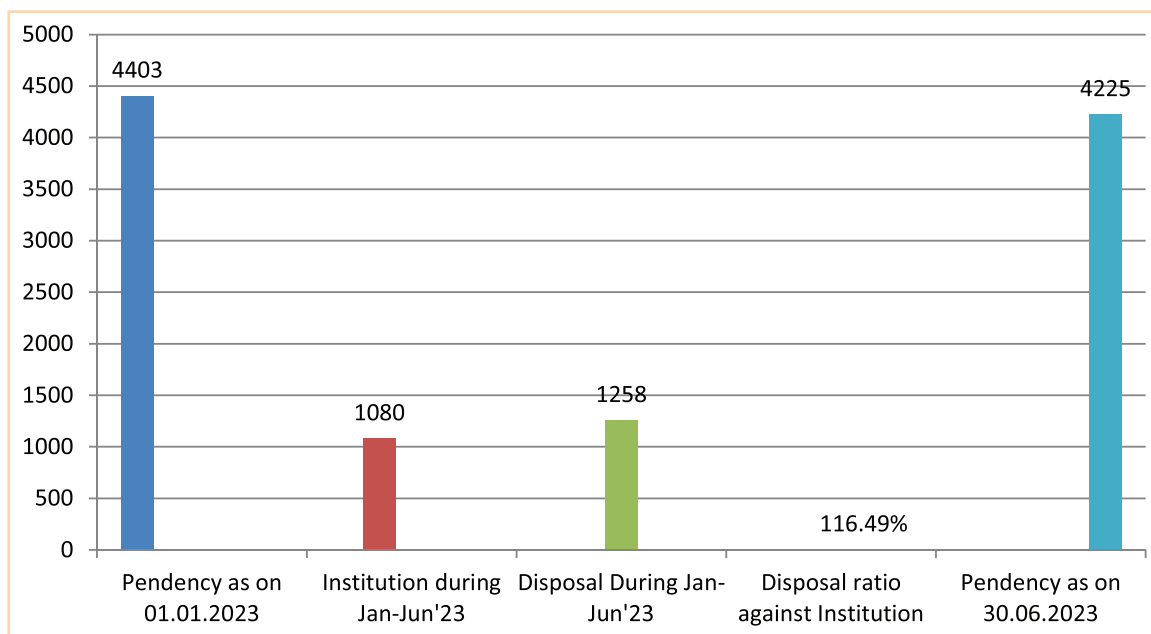
NI Act Cases

3. Graphical Presentation of the Performance of the Sub-ordinate Judiciary of the State of Jharkhand regarding **NI Act cases** during the period 01.01.2023 to 30.06.2023.



POCSO

4. Graphical Presentation of the Performance of the Sub-ordinate Judiciary of the State of Jharkhand regarding **POCSO** cases during the period 01.01.2023 to 30.06.2023.





सत्यमेव जयते

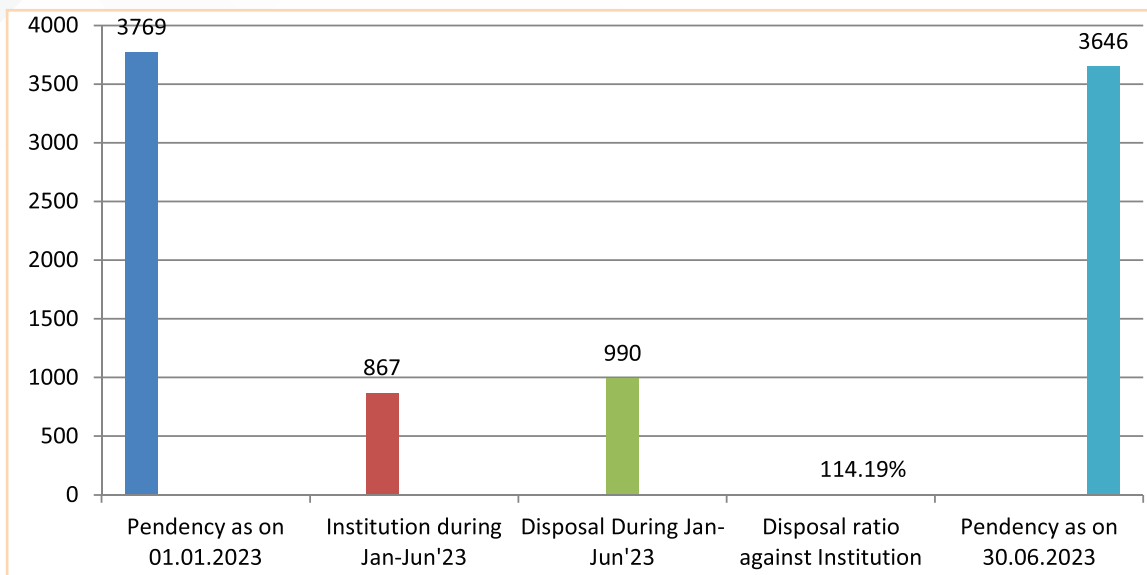
HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

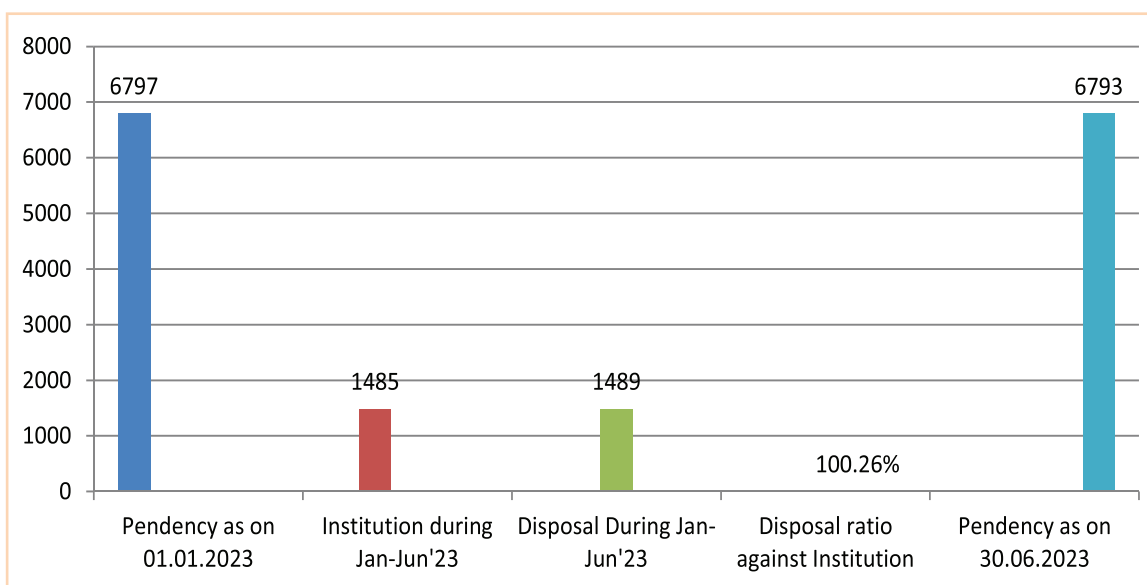
Cases related to Juvenile Justice Board

5. Graphical Presentation of the Performance of the Sub-ordinate Judiciary of the State of Jharkhand regarding cases related to **Juvenile Justice Board** during the period 01.01.2023 to 30.06.2023.



Cases related to Sexual Offences

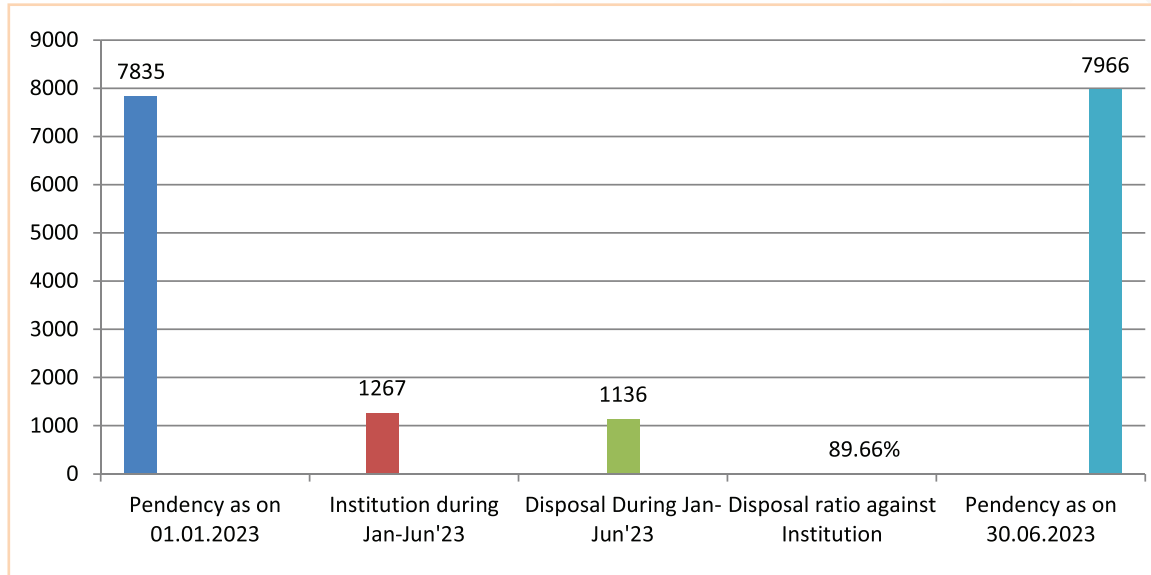
6. Graphical Presentation of the Performance of the Sub-ordinate Judiciary of the State of Jharkhand regarding cases related to **Sexual Offences** during the period 01.01.2023 to 30.06.2023.





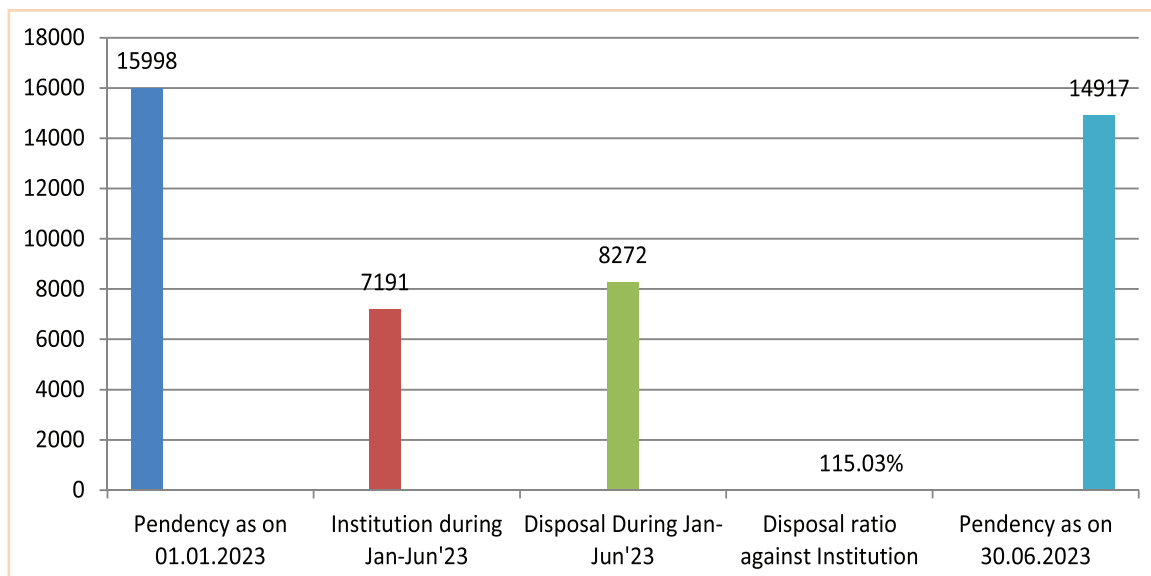
Cases related to Crime Against Women (FTC)

7. Graphical Presentation of the Performance of the Sub-ordinate Judiciary of the State of Jharkhand regarding cases related to **Crime Against Women (FTC)** during the period 01.01.2023 to 30.06.2023.



Cases related to Family Courts

8. Graphical Presentation of the Performance of the Sub-ordinate Judiciary of the State of Jharkhand regarding cases related to **Family Courts** during the period 01.01.2023 to 30.06.2023.





सत्यमेव जयते

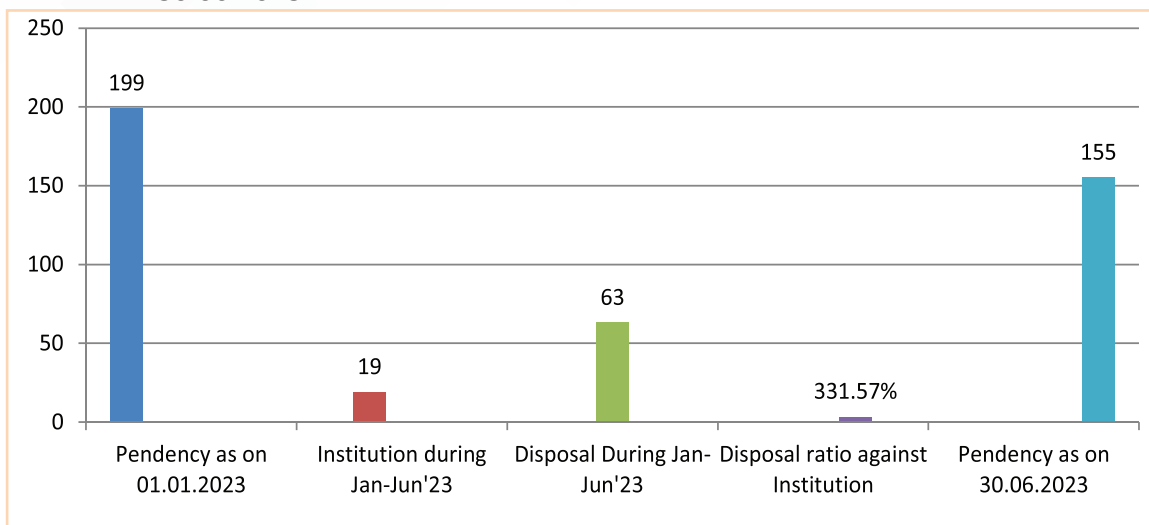
HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

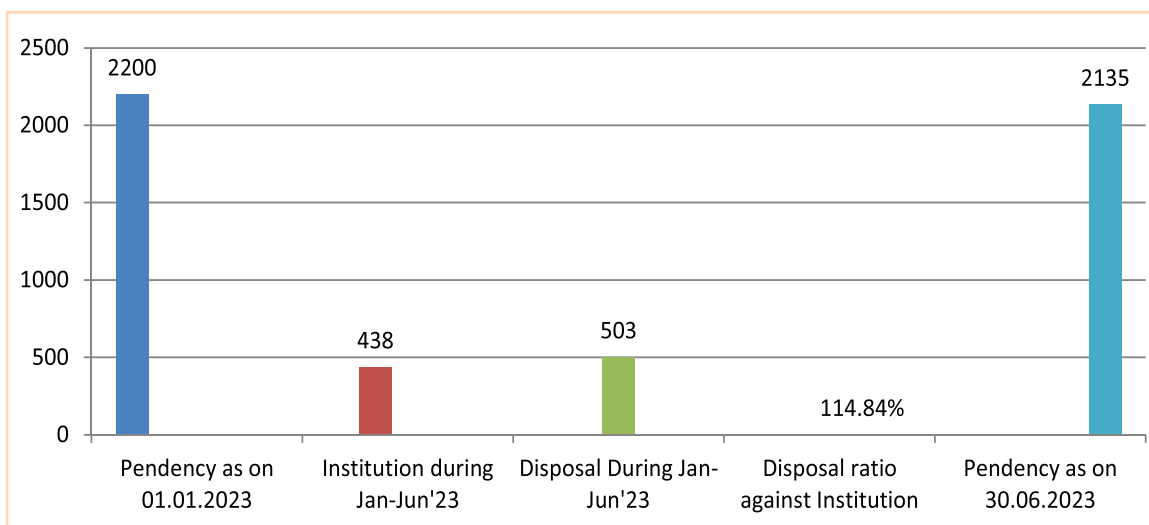
Cases related to Special Courts Dealing Criminal Cases involving MPs/MLAs Act

9. Graphical Presentation of the Performance of the Sub-ordinate Judiciary of the State of Jharkhand regarding ***cases related to Special Courts Dealing Criminal Cases involving MPs/MLAs Act*** during the period 01.01.2023 to 30.06.2023.



Cases related to SC/ST Courts Designated

10. Graphical Presentation of the Performance of the Sub-ordinate Judiciary of the State of Jharkhand regarding ***cases related to SC/ST Courts Designated*** during the period 01.01.2023 to 30.06.2023.





District wise Working Strength and Statistical Report

Name of Judgeship- BOKARO

Sanctioned strength, present working strength and vacancy position of Judicial Officers and Ministerial Staffs (Cadre-wise)

Judicial Officers (Cadre-wise)

Cadre of Judicial Officers	Sanctioned strength	Present working strength	Vacancy position
Principal District Judge	-----	02	-----
District Judge		06	
Civil Judge (Senior Division)		07	
Civil Judge (Junior Division)		09	

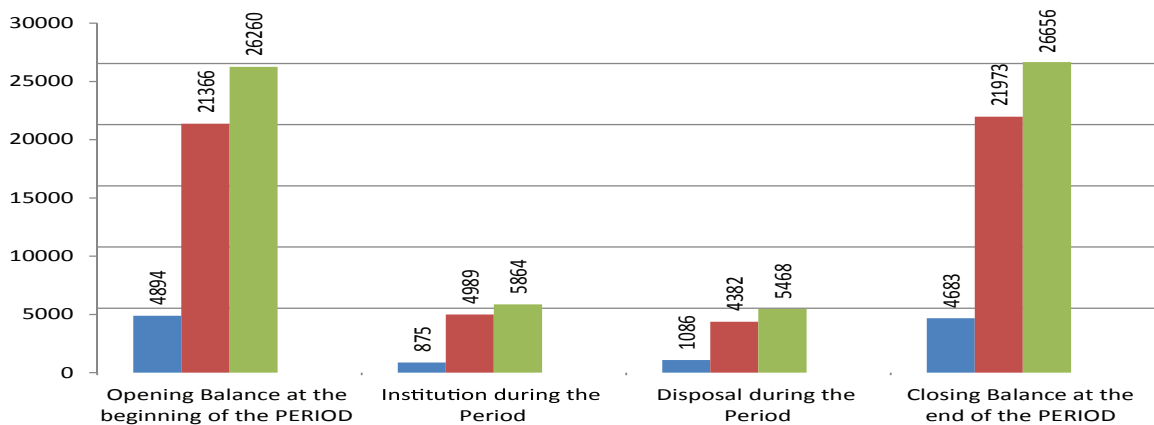
Court Manager- 00

Ministerial & Class-IV Staffs (Cadre-wise)

Cadre of Ministerial Staffs	Sanctioned strength	Present working strength	Vacancy position
Assistant	146	113	33
Stenographer	32	23	09
Deposition Typist	19	18	01
Driver	09	08	01
Peon	176	158	18

Judgeship wise report on Statistics for the Period Starting from January to June 2023

20 Old Case Disposal	Opening Balance at the beginning of the PERIOD			Institution during the Period			Disposal during the Period			Closing Balance at the end of the PERIOD		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
388	4894	21366	26260	875	4989	5864	1086	4382	5468	4683	21973	26656



COLOUR CODE : Blue : Civil Red : Criminal Green : Total



सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद
Newsletter

January - June, 2023 (VOL. : 01)

Name of Judgeship- CHAIBASA

Sanctioned strength, present working strength and vacancy position of Judicial Officers and Ministerial Staffs (Cadre-wise)

Judicial Officers (Cadre-wise)

Cadre of Judicial Officers	Sanctioned strength	Present working strength	Vacancy position
Principal District Judge	-----	02	-----
District Judge		03	
Civil Judge (Senior Division)		04	
Civil Judge (Junior Division)		04	

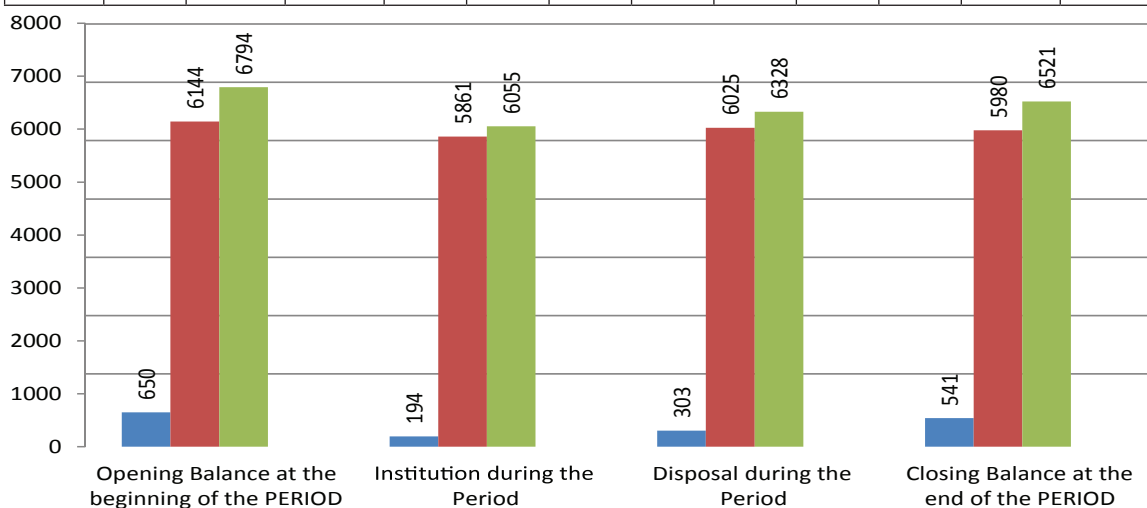
Court Manager- 01

Ministerial & Class-IV Staffs (Cadre-wise)

Cadre of Ministerial Staffs	Sanctioned strength	Present working strength	Vacancy position
Assistant	80	58	22
Stenographer	25	13	12
Typist	8	8	0
Deposition Typist	11	7	4
Driver	91	65	26
Peon	8	6	2

Judgeship wise report on Statistics for the Period Starting from January to June 2023

20 Old Case Disposal	Opening Balance at the beginning of the PERIOD			Institution during the Period			Disposal during the Period			Closing Balance at the end of the PERIOD		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
228	650	6144	6794	194	5861	6055	303	6025	6328	541	5980	6521



COLOUR CODE :

Blue : Civil

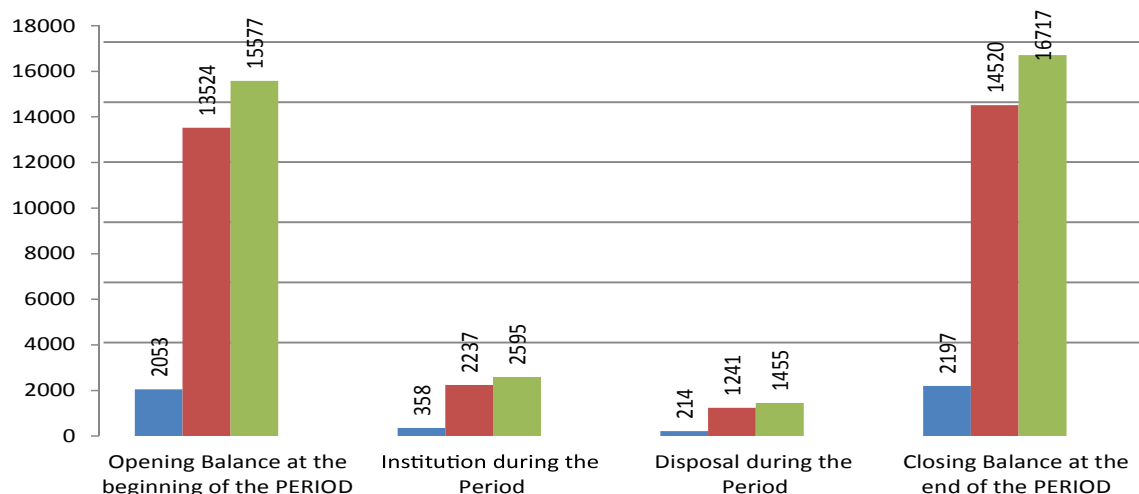
Red : Criminal

Green : Total



Name of Judgeship- CHATRA			
Sanctioned strength, present working strength and vacancy position of Judicial Officers and Ministerial Staffs (Cadre-wise)			
Judicial Officers (Cadre-wise)			
Cadre of Judicial Officers	Sanctioned strength	Present working strength	Vacancy position
Principal District Judge	-----	02	-----
District Judge		03	
Civil Judge (Senior Division)		04	
Civil Judge (Junior Division)		03	
Court Manager- 01			
Ministerial & Class-IV Staffs (Cadre-wise)			
Cadre of Ministerial Staffs	Sanctioned strength	Present working strength	Vacancy position
Assistant	60	54	6
Stenographer	14	9	5
Typist	2	2	0
Deposition Typist	10	10	0
Driver	5	4	1
Peon	72	55	17

Judgeship wise report on Statistics for the Period Starting from January to June 2023												
20 Old Case Disposal	Opening Balance at the beginning of the PERIOD			Institution during the Period			Disposal during the Period			Closing Balance at the end of the PERIOD		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
84	2053	13524	15577	358	2237	2595	214	1241	1455	2197	14520	16717



COLOUR CODE : Blue : Civil Red : Criminal Green : Total

**Name of Judgeship- DALTONGANJ**

Sanctioned strength, present working strength and vacancy position of Judicial Officers and Ministerial Staffs (Cadre-wise)

Judicial Officers (Cadre-wise)

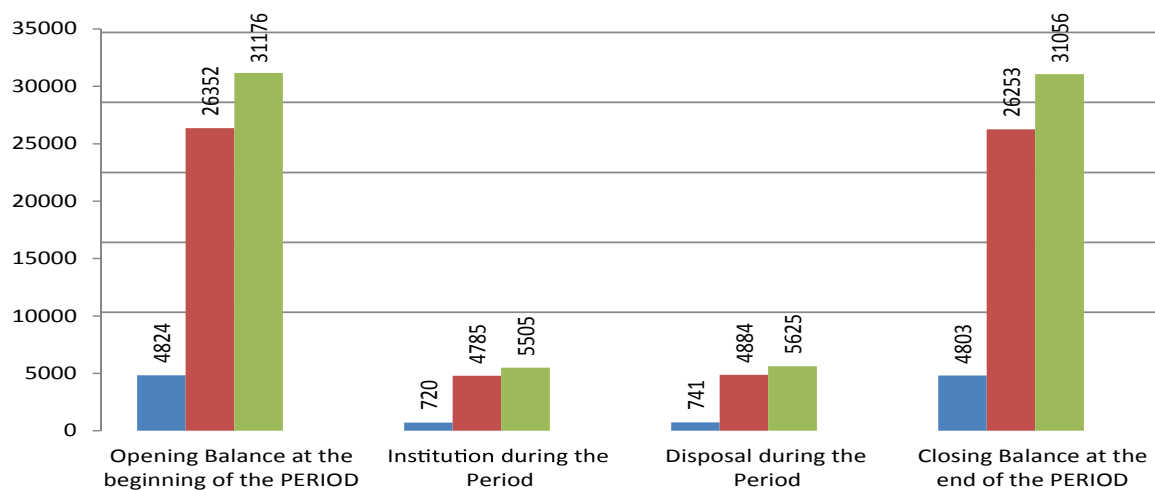
Cadre of Judicial Officers	Sanctioned strength	Present working strength	Vacancy position
Principal District Judge	-----	1	-----
District Judge		5	
Civil Judge (Senior Division)		8	
Civil Judge (Junior Division)		9	

Court Manager- 00**Ministerial & Class-IV Staffs (Cadre-wise)**

Cadre of Ministerial Staffs	Sanctioned strength	Present working strength	Vacancy position
Assistant	136	60	76
Stenographer	35	11	24
Typist	2	3	-1
Deposition Typist	31	14	17
Data Entry Operator	39	0	39
Driver	11	7	4
Peon	131	66	65

Judgeship wise report on Statistics for the Period Starting from January to June 2023

20 Old Case Disposal	Opening Balance at the beginning of the PERIOD			Institution during the Period			Disposal during the Period			Closing Balance at the end of the PERIOD		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
166	4824	26352	31176	720	4785	5505	741	4884	5625	4803	26253	31056



COLOUR CODE :

Blue : Civil

Red : Criminal

Green : Total



Name of Judgeship- DUMKA

Sanctioned strength, present working strength and vacancy position of Judicial Officers and Ministerial Staffs (Cadre-wise)

Judicial Officers (Cadre-wise)

Cadre of Judicial Officers	Sanctioned strength	Present working strength	Vacancy position
Principal District Judge	-----	2	-----
District Judge		3	
Civil Judge (Senior Division)		6	
Civil Judge (Junior Division)		5	

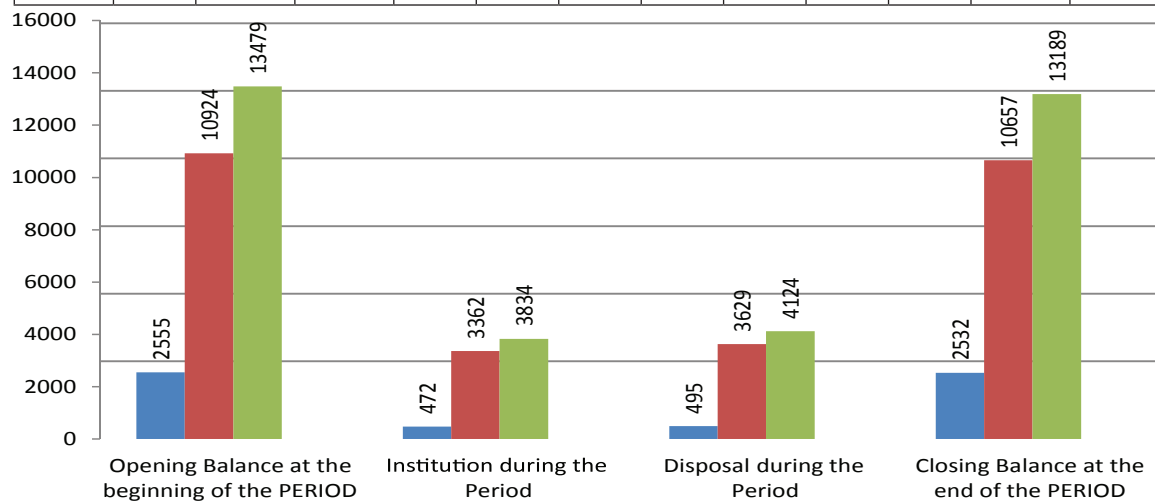
Court Manager- 01

Ministerial & Class-IV Staffs (Cadre-wise)

Cadre of Ministerial Staffs	Sanctioned strength	Present working strength	Vacancy position
Assistant	70	53	17
Stenographer	15	11	4
Typist	7	5	2
Deposition Typist	8	6	2
Driver	6	4	2
Peon	86	80	6
Process Server	12	10	2

Judgeship wise report on Statistics for the Period Starting from January to June 2023

20 Old Case Disposal	Opening Balance at the beginning of the PERIOD			Institution during the Period			Disposal during the Period			Closing Balance at the end of the PERIOD		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
168	2555	10924	13479	472	3362	3834	495	3629	4124	2532	10657	13189



COLOUR CODE :

Blue : Civil

Red : Criminal

Green : Total

**Name of Judgeship- DHANBAD**

Sanctioned strength, present working strength and vacancy position of Judicial Officers and Ministerial Staffs (Cadre-wise)

Judicial Officers (Cadre-wise)

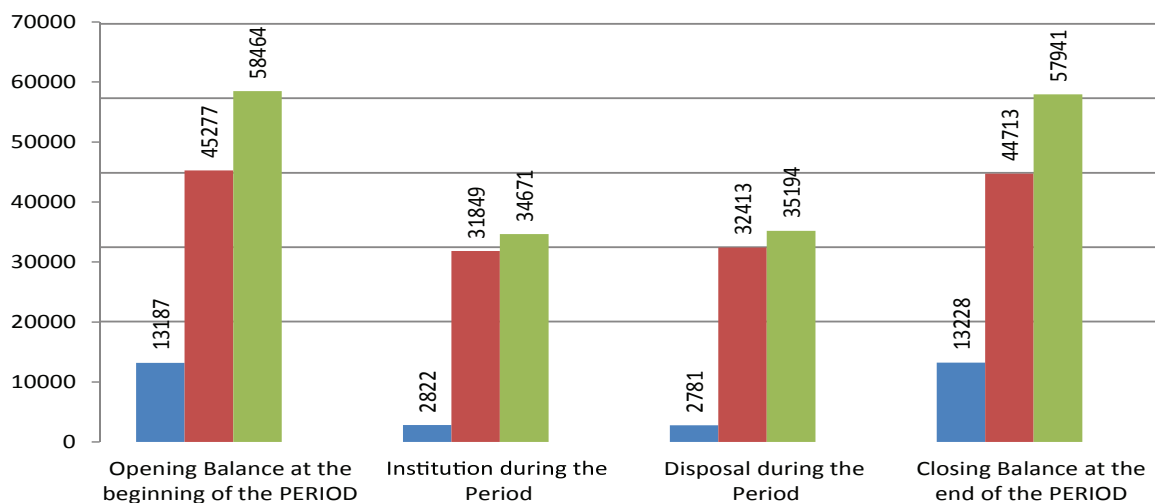
Cadre of Judicial Officers	Sanctioned strength	Present working strength	Vacancy position
Principal District Judge	-----	2	-----
District Judge		8	
Civil Judge (Senior Division)		11	
Civil Judge (Junior Division)		24	

Court Manager- 01**Ministerial & Class-IV Staffs (Cadre-wise)**

Cadre of Ministerial Staffs	Sanctioned strength	Present working strength	Vacancy position
Assistant	176	149	24
Stenographer	47	31	16
Typist	11	5	6
Deposition Typist	39	31	8
Driver	11	7	4
Peon	177	149	28

Judgeship wise report on Statistics for the Period Starting from January to June 2023

20 Old Case Disposal	Opening Balance at the beginning of the PERIOD			Institution during the Period			Disposal during the Period			Closing Balance at the end of the PERIOD		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
305	13187	45277	58464	2822	31849	34671	2781	32413	35194	13228	44713	57941



COLOUR CODE :

Blue : Civil

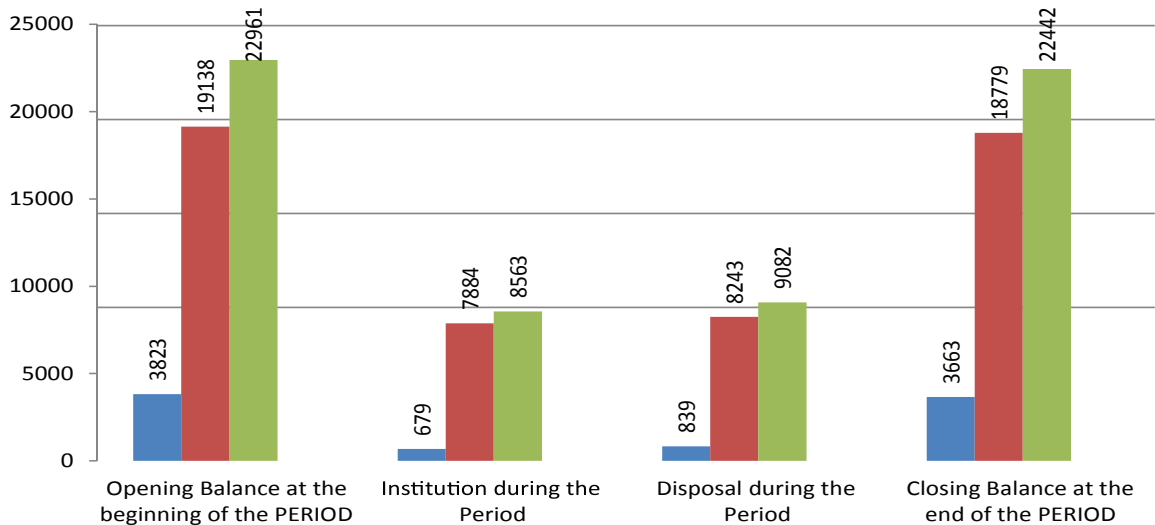
Red : Criminal

Green : Total



Name of Judgeship- DEOGHAR			
Sanctioned strength, present working strength and vacancy position of Judicial Officers and Ministerial Staffs (Cadre-wise)			
Judicial Officers (Cadre-wise)			
Cadre of Judicial Officers	Sanctioned strength	Present working strength	Vacancy position
Principal District Judge	-----	2	-----
District Judge		6	
Civil Judge (Senior Division)		11	
Civil Judge (Junior Division)		9	
Court Manager- 01			
Ministerial & Class-IV Staffs (Cadre-wise)			
Cadre of Ministerial Staffs	Sanctioned strength	Present working strength	Vacancy position
Assistant	111	88	23
Stenographer	31	16	15
Typist	5	5	0
Deposition Typist	17	15	2
Driver	11	5	6
Peon	116	78	38

Judgeship wise report on Statistics for the Period Starting from January to June 2023												
20 Old Case Disposal	Opening Balance at the beginning of the PERIOD			Institution during the Period			Disposal during the Period			Closing Balance at the end of the PERIOD		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
368	3823	19138	22961	679	7884	8563	839	8243	9082	3663	18779	22442



COLOUR CODE : Blue : Civil Red : Criminal Green : Total

**Name of Judgeship- GARHWA**

Sanctioned strength, present working strength and vacancy position of Judicial Officers and Ministerial Staffs (Cadre-wise)

Judicial Officers (Cadre-wise)

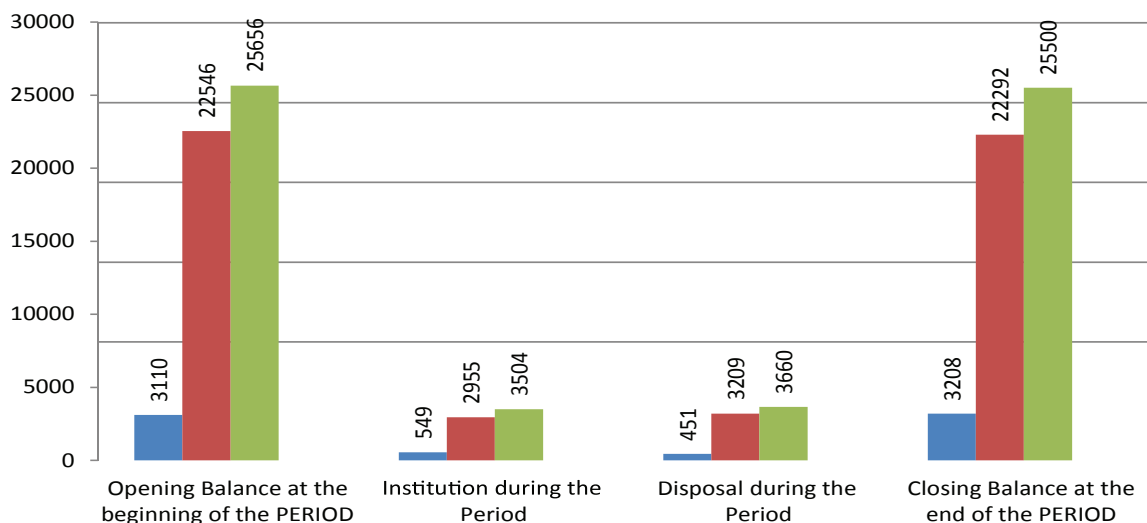
Cadre of Judicial Officers	Sanctioned strength	Present working strength	Vacancy position
Principal District Judge	-----	2	-----
District Judge		3	
Civil Judge (Senior Division)		4	
Civil Judge (Junior Division)		10	

Court Manager- 01**Ministerial & Class-IV Staffs (Cadre-wise)**

Cadre of Ministerial Staffs	Sanctioned strength	Present working strength	Vacancy position
Assistant	89	37	52
Stenographer	30	10	20
Typist	2	2	0
Deposition Typist	17	8	9
Driver	8	6	2
Peon	85	49	36

Judgeship wise report on Statistics for the Period Starting from January to June 2023

20 Old Case Disposal	Opening Balance at the beginning of the PERIOD			Institution during the Period			Disposal during the Period			Closing Balance at the end of the PERIOD		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
192	3110	22546	25656	549	2955	3504	451	3209	3660	3208	22292	25500



COLOUR CODE :

Blue : Civil

Red : Criminal

Green : Total



Name of Judgeship- GIRIDIH

Sanctioned strength, present working strength and vacancy position of Judicial Officers and Ministerial Staffs (Cadre-wise)

Judicial Officers (Cadre-wise)

Cadre of Judicial Officers	Sanctioned strength	Present working strength	Vacancy position
Principal District Judge	-----	2	-----
District Judge		7	
Civil Judge (Senior Division)		6	
Civil Judge (Junior Division)		17	

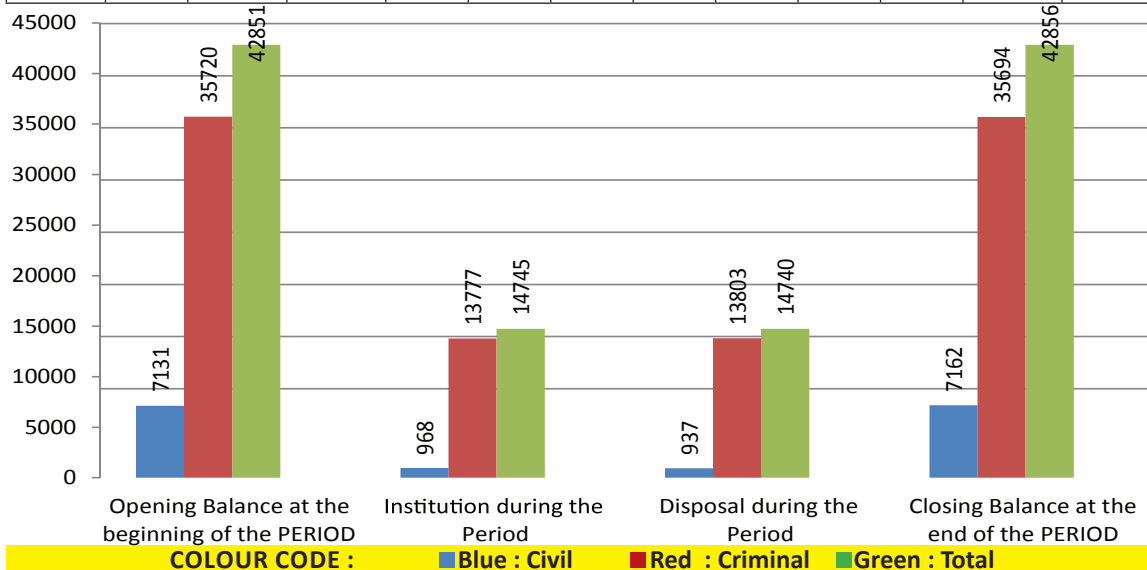
Court Manager- 01

Ministerial & Class-IV Staffs (Cadre-wise)

Cadre of Ministerial Staffs	Sanctioned strength	Present working strength	Vacancy position
Assistant	154	100	54
Stenographer	31	15	16
Typist	8	7	1
Deposition Typist	13	13	0
Driver	8	6	2
Peon	116	80	36

Judgeship wise report on Statistics for the Period Starting from January to June 2023

20 Old Case Disposal	Opening Balance at the beginning of the PERIOD			Institution during the Period			Disposal during the Period			Closing Balance at the end of the PERIOD		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
239	7131	35720	42851	968	13777	14745	937	13803	14740	7162	35694	42856



**Name of Judgeship- GODDA**

Sanctioned strength, present working strength and vacancy position of Judicial Officers and Ministerial Staffs (Cadre-wise)

Judicial Officers (Cadre-wise)

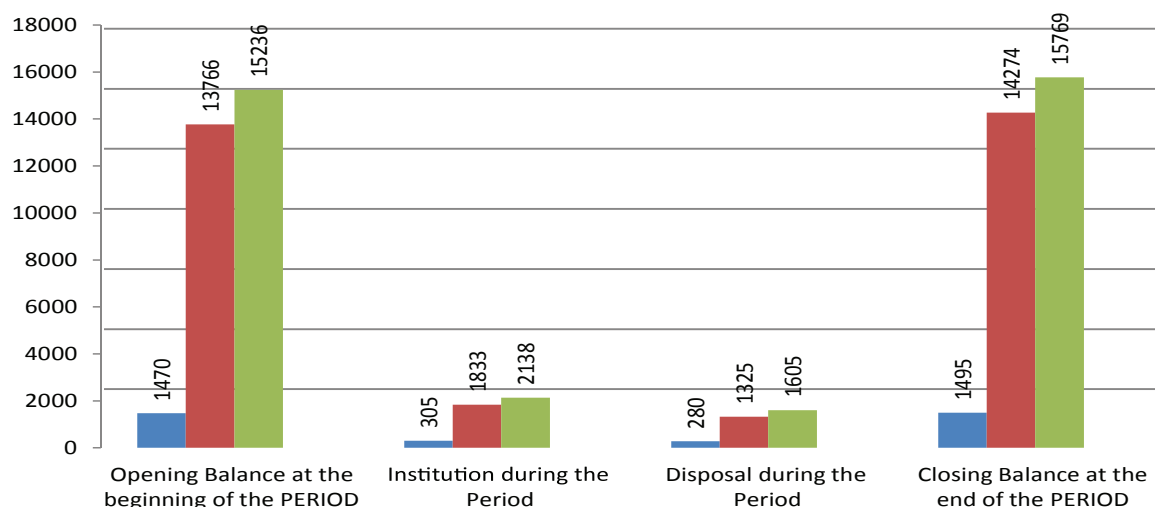
Cadre of Judicial Officers	Sanctioned strength	Present working strength	Vacancy position
Principal District Judge	-----	2	-----
District Judge		1	
Civil Judge (Senior Division)		3	
Civil Judge (Junior Division)		5	

Court Manager- 01**Ministerial & Class-IV Staffs (Cadre-wise)**

Cadre of Ministerial Staffs	Sanctioned strength	Present working strength	Vacancy position
Assistant	56	40	16
Stenographer	14	8	6
Typist	2	1	1
Deposition Typist	8	8	0
Driver	6	4	2
Peon	73	57	16

Judgeship wise report on Statistics for the Period Starting from January to June 2023

20 Old Case Disposal	Opening Balance at the beginning of the PERIOD			Institution during the Period			Disposal during the Period			Closing Balance at the end of the PERIOD		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
81	1470	13766	15236	305	1833	2138	280	1325	1605	1495	14274	15769



COLOUR CODE :

Blue : Civil

Red : Criminal

Green : Total



Name of Judgeship- GUMLA

Sanctioned strength, present working strength and vacancy position of Judicial Officers and Ministerial Staffs (Cadre-wise)

Judicial Officers (Cadre-wise)

Cadre of Judicial Officers	Sanctioned strength	Present working strength	Vacancy position
Principal District Judge	-----	1	-----
District Judge		2	
Civil Judge (Senior Division)		3	
Civil Judge (Junior Division)		3	

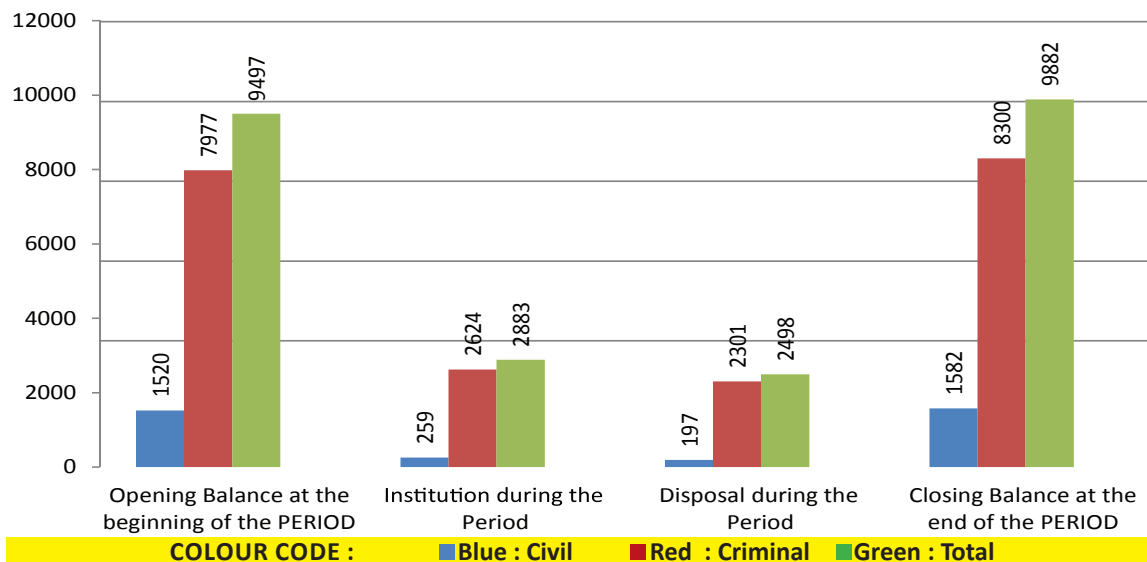
Court Manager- 01

Ministerial & Class-IV Staffs (Cadre-wise)

Cadre of Ministerial Staffs	Sanctioned strength	Present working strength	Vacancy position
Assistant	66	49	17
Stenographer	11	7	4
Typist	3	1	2
Deposition Typist	6	5	1
Driver	8	2	6
Peon	63	56	7

Judgeship wise report on Statistics for the Period Starting from January to June 2023

20 Old Case Disposal	Opening Balance at the beginning of the PERIOD			Institution during the Period			Disposal during the Period			Closing Balance at the end of the PERIOD		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
54	1520	7977	9497	259	2624	2883	197	2301	2498	1582	8300	9882



**Name of Judgeship- HAZARIBAGH**

Sanctioned strength, present working strength and vacancy position of Judicial Officers and Ministerial Staffs (Cadre-wise)

Judicial Officers (Cadre-wise)

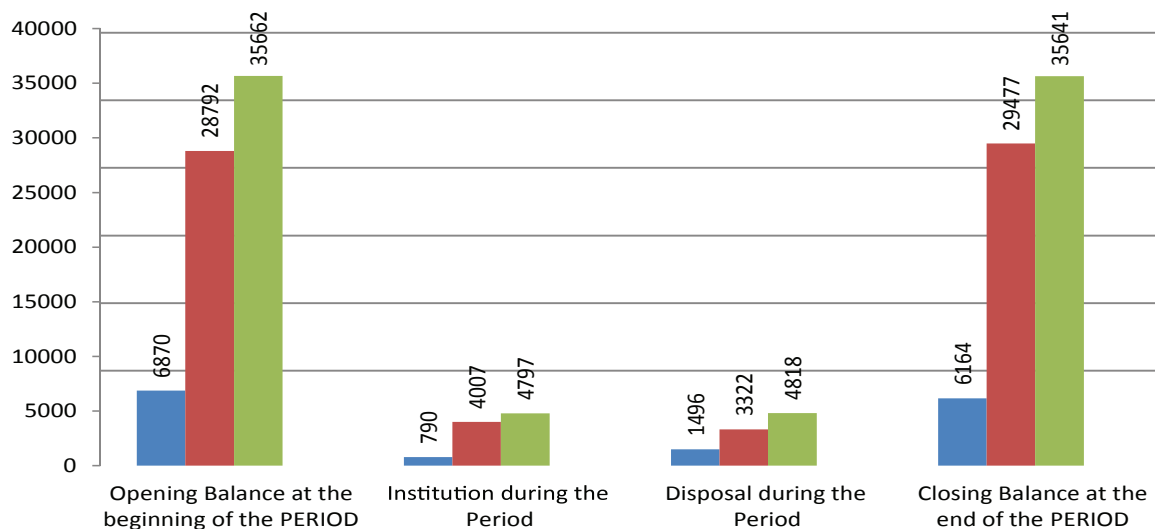
Cadre of Judicial Officers	Sanctioned strength	Present working strength	Vacancy position
Principal District Judge	-----	2	-----
District Judge		8	
Civil Judge (Senior Division)		9	
Civil Judge (Junior Division)		13	

Court Manager- 00**Ministerial & Class-IV Staffs (Cadre-wise)**

Cadre of Ministerial Staffs	Sanctioned strength	Present working strength	Vacancy position
Assistant	137	89	48
Stenographer	37	20	17
Typist	3	2	1
Deposition Typist	23	19	4
Driver	8	4	4
Peon	169	71	98

Judgeship wise report on Statistics for the Period Starting from January to June 2023

20 Old Case Disposal	Opening Balance at the beginning of the PERIOD			Institution during the Period			Disposal during the Period			Closing Balance at the end of the PERIOD		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
259	6870	28792	35662	790	4007	4797	1496	3322	4818	6164	29477	35641



COLOUR CODE :

Blue : Civil

Red : Criminal

Green : Total



Name of Judgeship- JAMSHEDPUR

Sanctioned strength, present working strength and vacancy position of Judicial Officers and Ministerial Staffs (Cadre-wise)

Judicial Officers (Cadre-wise)

Cadre of Judicial Officers	Sanctioned strength	Present working strength	Vacancy position
Principal District Judge	-----	2	-----
District Judge		6	
Civil Judge (Senior Division)		11	
Civil Judge (Junior Division)		19	

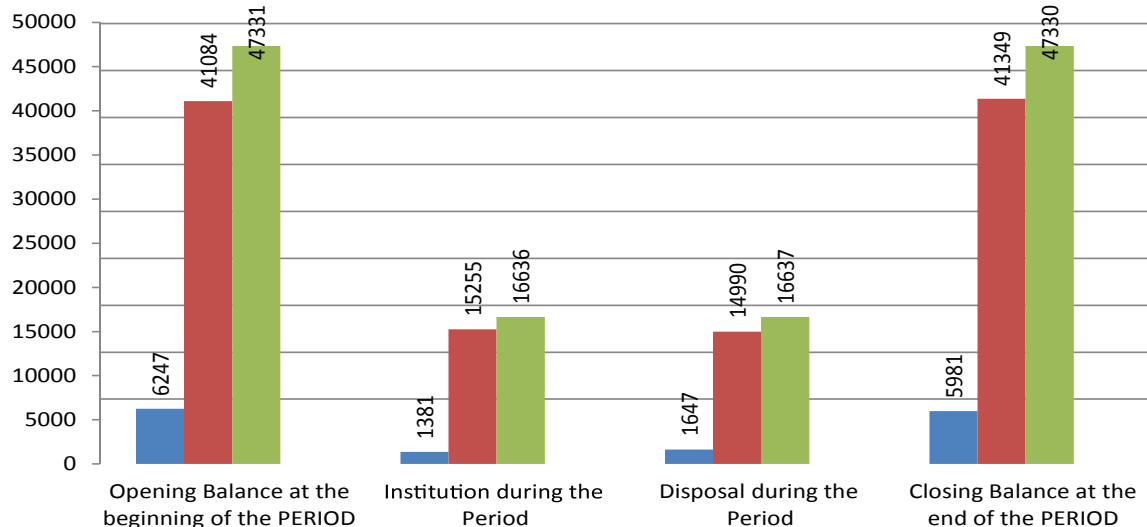
Court Manager- 00

Ministerial & Class-IV Staffs (Cadre-wise)

Cadre of Ministerial Staffs	Sanctioned strength	Present working strength	Vacancy position
Assistant	132	106	26
Stenographer	44	31	13
Typist	6	3	3
Deposition Typist	27	22	5
Driver	11	6	5
Peon	97	58	39

Judgeship wise report on Statistics for the Period Starting from January to June 2023

20 Old Case Disposal	Opening Balance at the beginning of the PERIOD			Institution during the Period			Disposal during the Period			Closing Balance at the end of the PERIOD		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
292	6247	41084	47331	1381	15255	16636	1647	14990	16637	5981	41349	47330



COLOUR CODE :

Blue : Civil

Red : Criminal

Green : Total

**Name of Judgeship- JAMTARA**

Sanctioned strength, present working strength and vacancy position of Judicial Officers and Ministerial Staffs (Cadre-wise)

Judicial Officers (Cadre-wise)

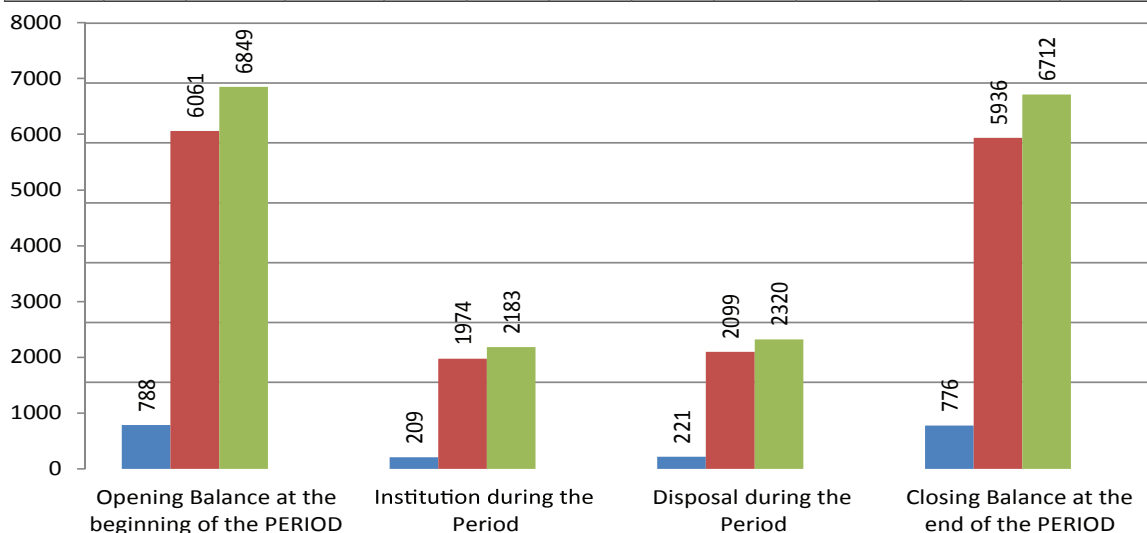
Cadre of Judicial Officers	Sanctioned strength	Present working strength	Vacancy position
Principal District Judge	-----	2	-----
District Judge		2	
Civil Judge (Senior Division)		4	
Civil Judge (Junior Division)		2	

Court Manager- 01**Ministerial & Class-IV Staffs (Cadre-wise)**

Cadre of Ministerial Staffs	Sanctioned strength	Present working strength	Vacancy position
Assistant	52	44	8
Stenographer	15	12	3
Typist	2	2	0
Deposition Typist	6	5	1
Driver	5	4	1
Peon	69	64	5

Judgeship wise report on Statistics for the Period Starting from January to June 2023

20 Old Case Disposal	Opening Balance at the beginning of the PERIOD			Institution during the Period			Disposal during the Period			Closing Balance at the end of the PERIOD		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
115	788	6061	6849	209	1974	2183	221	2099	2320	776	5936	6712



COLOUR CODE :

Blue : Civil

Red : Criminal

Green : Total



Name of Judgeship- KODERMA

Sanctioned strength, present working strength and vacancy position of Judicial Officers and Ministerial Staffs (Cadre-wise)

Judicial Officers (Cadre-wise)

Cadre of Judicial Officers	Sanctioned strength	Present working strength	Vacancy position
Principal District Judge	-----	2	-----
District Judge		3	
Civil Judge (Senior Division)		4	
Civil Judge (Junior Division)		5	

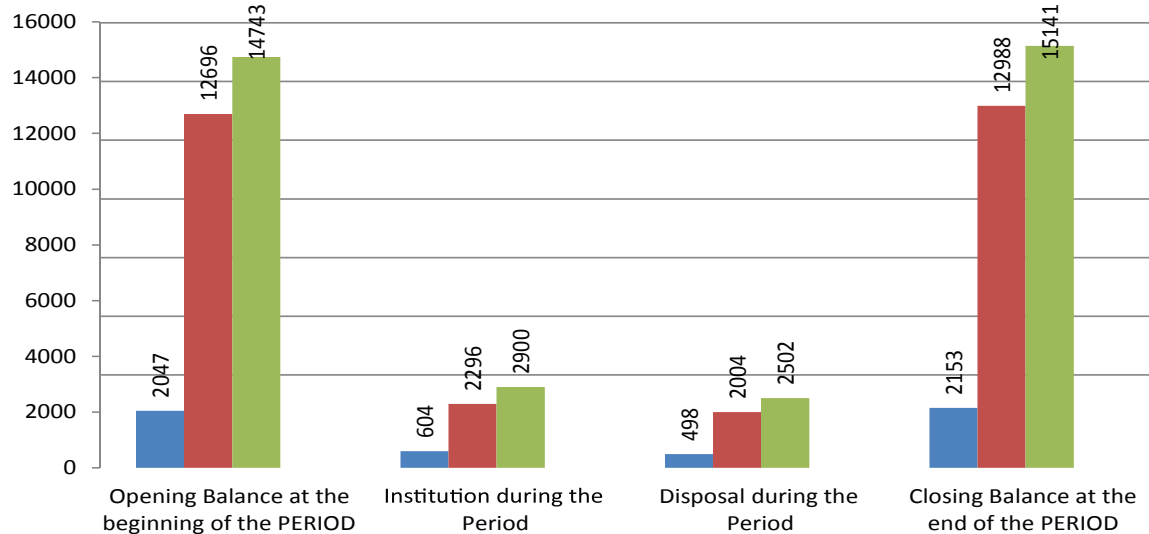
Court Manager- 01

Ministerial & Class-IV Staffs (Cadre-wise)

Cadre of Ministerial Staffs	Sanctioned strength	Present working strength	Vacancy position
Assistant	67	52	15
Stenographer	15	9	6
Typist	4	1	3
Deposition Typist	7	6	1
Driver	4	4	0
Peon	49	41	8

Judgeship wise report on Statistics for the Period Starting from January to June 2023

20 Old Case Disposal	Opening Balance at the beginning of the PERIOD			Institution during the Period			Disposal during the Period			Closing Balance at the end of the PERIOD		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
200	2047	12696	14743	604	2296	2900	498	2004	2502	2153	12988	15141



COLOUR CODE :

Blue : Civil

Red : Criminal

Green : Total

**Name of Judgeship- KHUNTI**

Sanctioned strength, present working strength and vacancy position of Judicial Officers and Ministerial Staffs (Cadre-wise)

Judicial Officers (Cadre-wise)

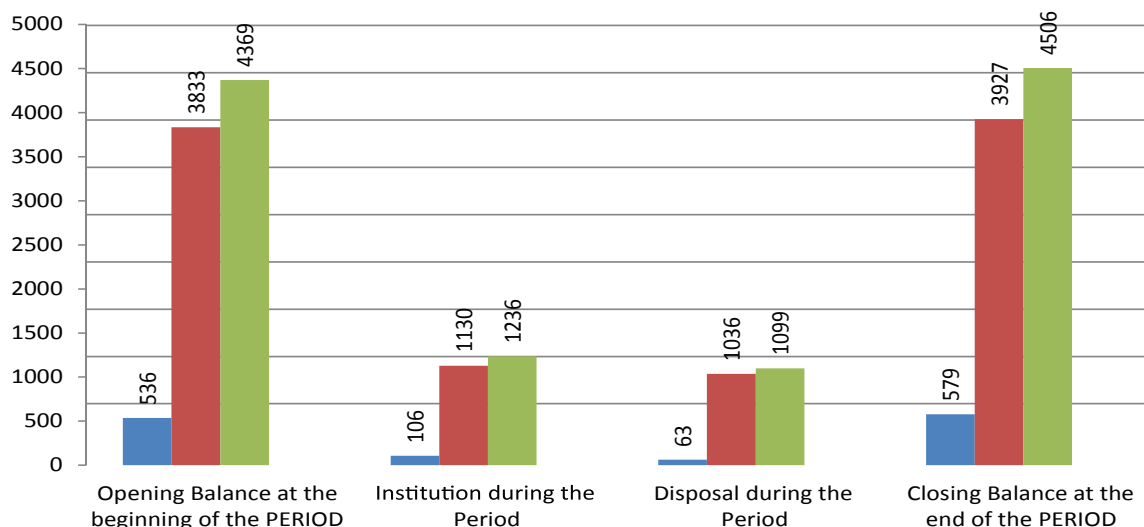
Cadre of Judicial Officers	Sanctioned strength	Present working strength	Vacancy position
Principal District Judge	-----	1	-----
District Judge		2	
Civil Judge (Senior Division)		1	
Civil Judge (Junior Division)		2	

Court Manager- 01**Ministerial & Class-IV Staffs (Cadre-wise)**

Cadre of Ministerial Staffs	Sanctioned strength	Present working strength	Vacancy position
Assistant	30	25	5
Stenographer	5	3	2
Typist			
Deposition Typist	5	4	1
Driver	1	1	0
Peon	19	14	5
Daftary	1	1	0

Judgeship wise report on Statistics for the Period Starting from January to June 2023

20 Old Case Disposal	Opening Balance at the beginning of the PERIOD			Institution during the Period			Disposal during the Period			Closing Balance at the end of the PERIOD		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
69	536	3833	4369	106	1130	1236	63	1036	1099	579	3927	4506



COLOUR CODE :

Blue : Civil

Red : Criminal

Green : Total



Name of Judgeship- LATEHAR

Sanctioned strength, present working strength and vacancy position of Judicial Officers and Ministerial Staffs (Cadre-wise)

Judicial Officers (Cadre-wise)

Cadre of Judicial Officers	Sanctioned strength	Present working strength	Vacancy position
Principal District Judge	-----	2	-----
District Judge		3	
Civil Judge (Senior Division)		3	
Civil Judge (Junior Division)		2	

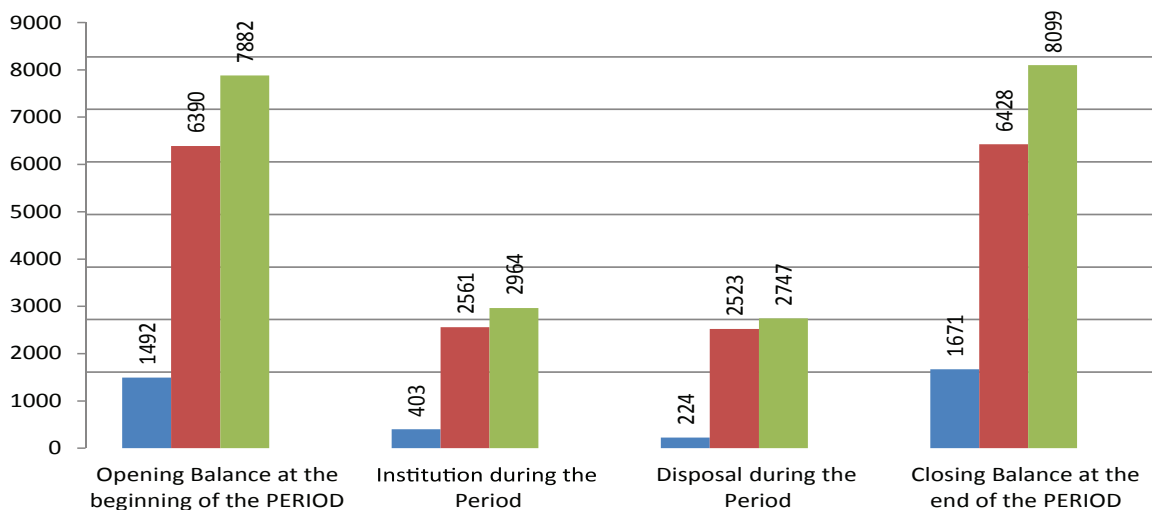
Court Manager- 01

Ministerial & Class-IV Staffs (Cadre-wise)

Cadre of Ministerial Staffs	Sanctioned strength	Present working strength	Vacancy position
Assistant	44	37	7
Stenographer	16	8	8
Typist	2	0	2
Deposition Typist	4	4	0
Driver	6	3	3
Peon	44	33	11

Judgeship wise report on Statistics for the Period Starting from January to June 2023

20 Old Case Disposal	Opening Balance at the beginning of the PERIOD			Institution during the Period			Disposal during the Period			Closing Balance at the end of the PERIOD		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
107	1492	6390	7882	403	2561	2964	224	2523	2747	1671	6428	8099



COLOUR CODE :

Blue : Civil

Red : Criminal

Green : Total

**Name of Judgeship- LOHARDAGA**

Sanctioned strength, present working strength and vacancy position of Judicial Officers and Ministerial Staffs (Cadre-wise)

Judicial Officers (Cadre-wise)

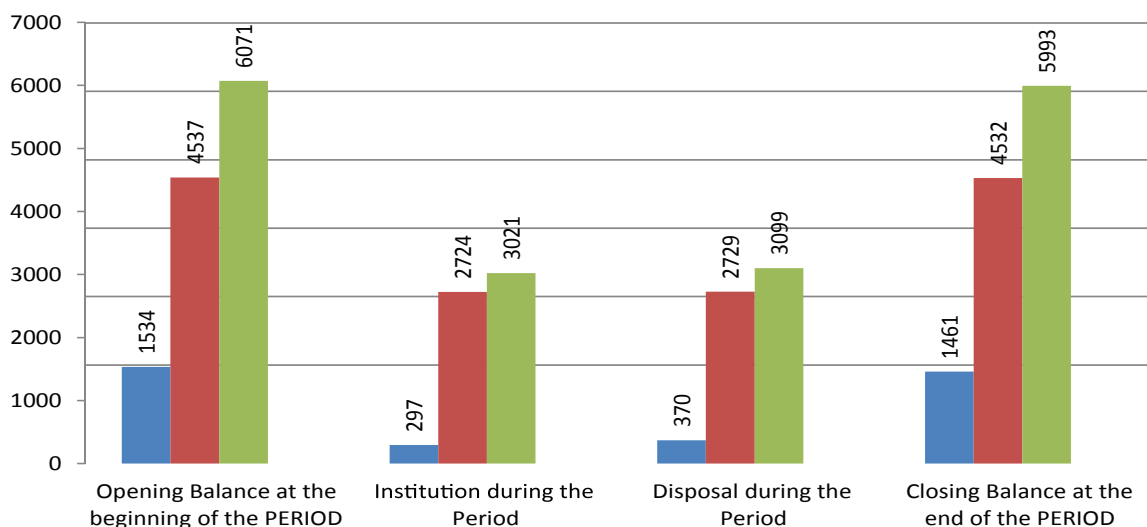
Cadre of Judicial Officers	Sanctioned strength	Present working strength	Vacancy position
Principal District Judge	-----	2	-----
District Judge		2	
Civil Judge (Senior Division)		3	
Civil Judge (Junior Division)		3	

Court Manager- 00**Ministerial & Class-IV Staffs (Cadre-wise)**

Cadre of Ministerial Staffs	Sanctioned strength	Present working strength	Vacancy position
Assistant	37	35	2
Stenographer	9	8	1
Typist	1	1	0
Deposition Typist	6	5	1
Driver	3	2	1
Peon	55	54	1

Judgeship wise report on Statistics for the Period Starting from January to June 2023

20 Old Case Disposal	Opening Balance at the beginning of the PERIOD			Institution during the Period			Disposal during the Period			Closing Balance at the end of the PERIOD		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
140	1534	4537	6071	297	2724	3021	370	2729	3099	1461	4532	5993



COLOUR CODE :

Blue : Civil

Red : Criminal

Green : Total



Name of Judgeship- PAKUR

Sanctioned strength, present working strength and vacancy position of Judicial Officers and Ministerial Staffs (Cadre-wise)

Judicial Officers (Cadre-wise)

Cadre of Judicial Officers	Sanctioned strength	Present working strength	Vacancy position
Principal District Judge	-----	2	-----
District Judge		2	
Civil Judge (Senior Division)		3	
Civil Judge (Junior Division)		2	

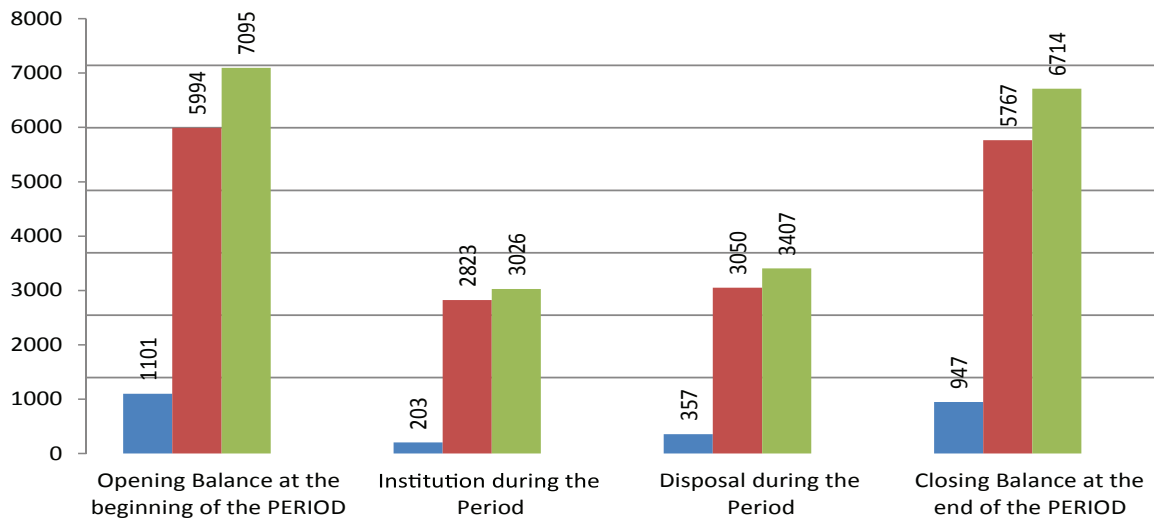
Court Manager- 01

Ministerial & Class-IV Staffs (Cadre-wise)

Cadre of Ministerial Staffs	Sanctioned strength	Present working strength	Vacancy position
Assistant	51	43	8
Stenographer	11	6	5
Typist	1	1	0
Deposition Typist	4	3	1
Driver	5	3	2
Peon	50	45	5

Judgeship wise report on Statistics for the Period Starting from January to June 2023

20 Old Case Disposal	Opening Balance at the beginning of the PERIOD			Institution during the Period			Disposal during the Period			Closing Balance at the end of the PERIOD		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
224	1101	5994	7095	203	2823	3026	357	3050	3407	947	5767	6714



COLOUR CODE :

Blue : Civil

Red : Criminal

Green : Total

**Name of Judgeship- RAMGARH**

Sanctioned strength, present working strength and vacancy position of Judicial Officers and Ministerial Staffs (Cadre-wise)

Judicial Officers (Cadre-wise)

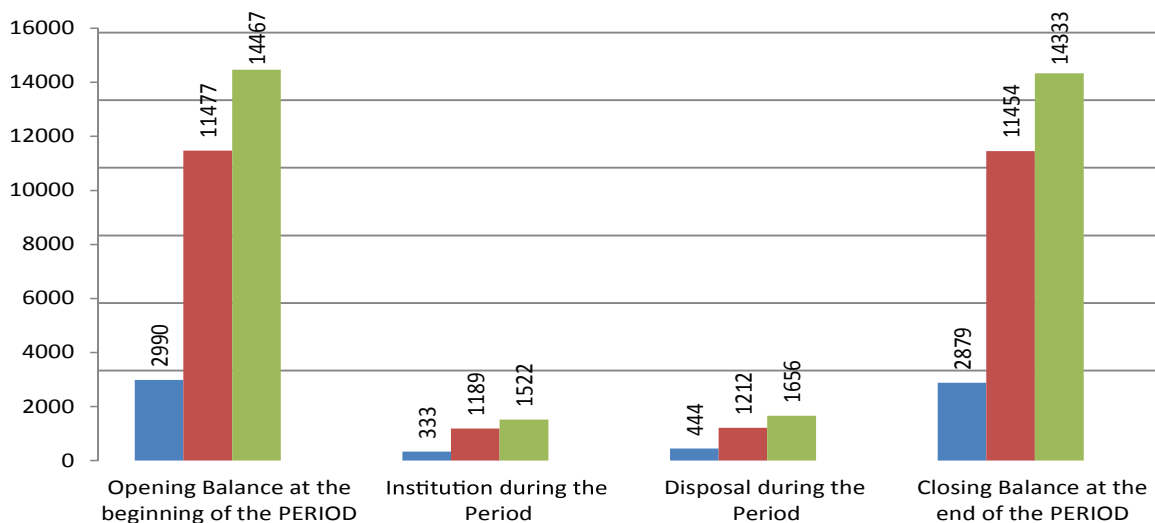
Cadre of Judicial Officers	Sanctioned strength	Present working strength	Vacancy position
Principal District Judge	-----	2	-----
District Judge		2	
Civil Judge (Senior Division)		6	
Civil Judge (Junior Division)		5	

Court Manager- 01**Ministerial & Class-IV Staffs (Cadre-wise)**

Cadre of Ministerial Staffs	Sanctioned strength	Present working strength	Vacancy position
Assistant	61	49	12
Stenographer	15	8	7
Typist			
Deposition Typist	10	9	1
Driver	5	4	1
Peon	61	56	5

Judgeship wise report on Statistics for the Period Starting from January to June 2023

20 Old Case Disposal	Opening Balance at the beginning of the PERIOD			Institution during the Period			Disposal during the Period			Closing Balance at the end of the PERIOD		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
76	2990	11477	14467	333	1189	1522	444	1212	1656	2879	11454	14333



COLOUR CODE :

Blue : Civil

Red : Criminal

Green : Total



Name of Judgeship- RANCHI

Sanctioned strength, present working strength and vacancy position of Judicial Officers and Ministerial Staffs (Cadre-wise)

Judicial Officers (Cadre-wise)

Cadre of Judicial Officers	Sanctioned strength	Present working strength	Vacancy position
Principal District Judge	-----	2	-----
District Judge		13	
Civil Judge (Senior Division)		16	
Civil Judge (Junior Division)		15	

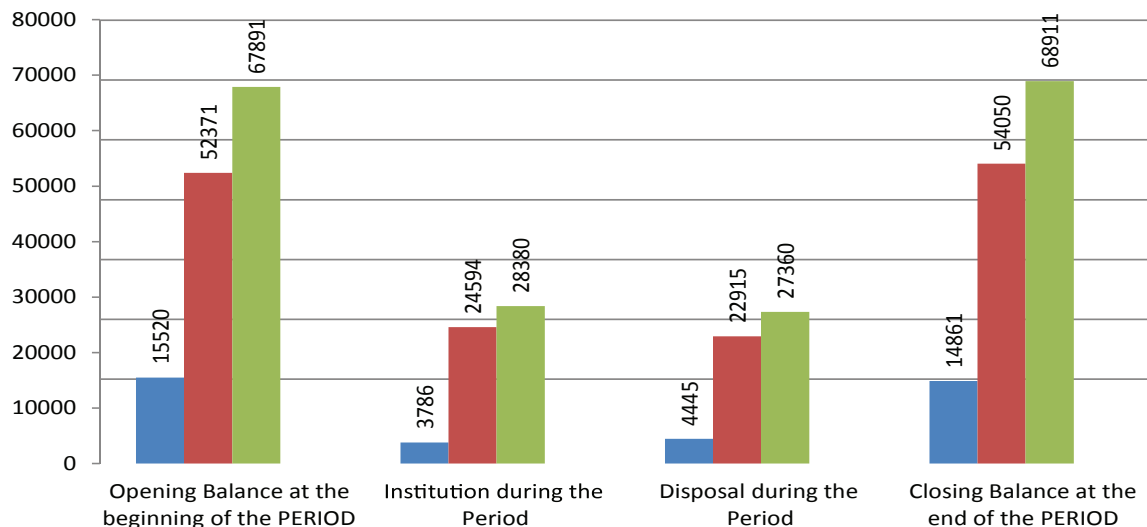
Court Manager- 01

Ministerial & Class-IV Staffs (Cadre-wise)

Cadre of Ministerial Staffs	Sanctioned strength	Present working strength	Vacancy position
Assistant	210	177	33
Stenographer	53	26	27
Typist	11	7	4
Deposition Typist	41	32	9
Driver	18	14	4
Peon	210	188	22

Judgeship wise report on Statistics for the Period Starting from January to June 2023

20 Old Case Disposal	Opening Balance at the beginning of the PERIOD			Institution during the Period			Disposal during the Period			Closing Balance at the end of the PERIOD		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
259	15520	52371	67891	3786	24594	28380	4445	22915	27360	14861	54050	68911



COLOUR CODE :

Blue : Civil

Red : Criminal

Green : Total

**Name of Judgeship- SAHIBGANJ**

Sanctioned strength, present working strength and vacancy position of Judicial Officers and Ministerial Staffs (Cadre-wise)

Judicial Officers (Cadre-wise)

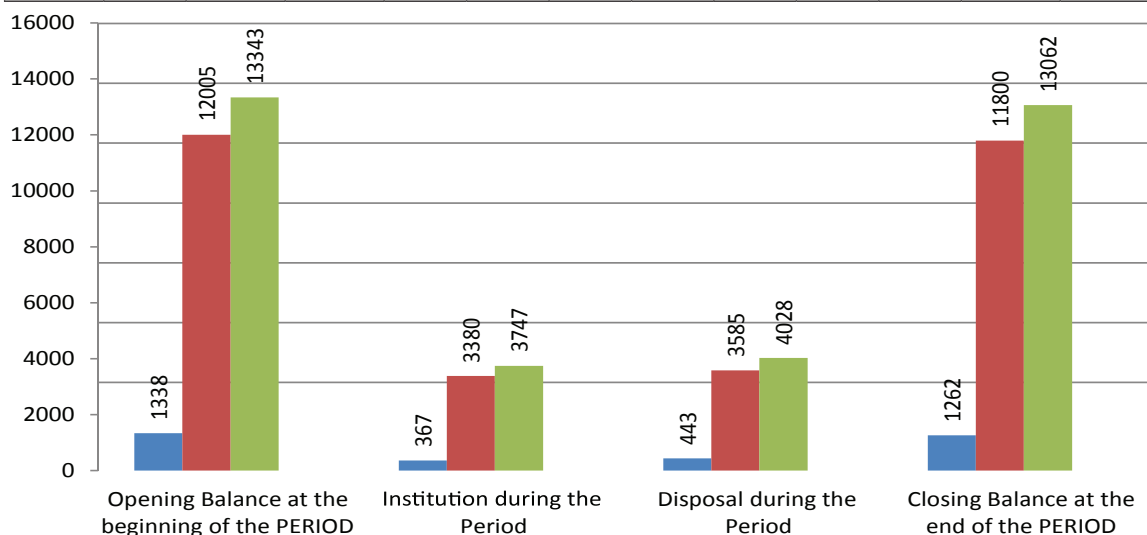
Cadre of Judicial Officers	Sanctioned strength	Present working strength	Vacancy position
Principal District Judge	-----	2	-----
District Judge		4	
Civil Judge (Senior Division)		7	
Civil Judge (Junior Division)		6	

Court Manager- 01**Ministerial & Class-IV Staffs (Cadre-wise)**

Cadre of Ministerial Staffs	Sanctioned strength	Present working strength	Vacancy position
Assistant	60	43	17
Stenographer	22	16	6
Typist	1	1	0
Deposition Typist	8	4	4
Driver	8	7	1
Peon	83	59	24

Judgeship wise report on Statistics for the Period Starting from January to June 2023

20 Old Case Disposal	Opening Balance at the beginning of the PERIOD			Institution during the Period			Disposal during the Period			Closing Balance at the end of the PERIOD		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
179	1338	12005	13343	367	3380	3747	443	3585	4028	1262	11800	13062



COLOUR CODE :

Blue : Civil

Red : Criminal

Green : Total



Name of Judgeship- SERAIKELLA

Sanctioned strength, present working strength and vacancy position of Judicial Officers and Ministerial Staffs (Cadre-wise)

Judicial Officers (Cadre-wise)

Cadre of Judicial Officers	Sanctioned strength	Present working strength	Vacancy position
Principal District Judge	-----	2	-----
District Judge		3	
Civil Judge (Senior Division)		4	
Civil Judge (Junior Division)		2	

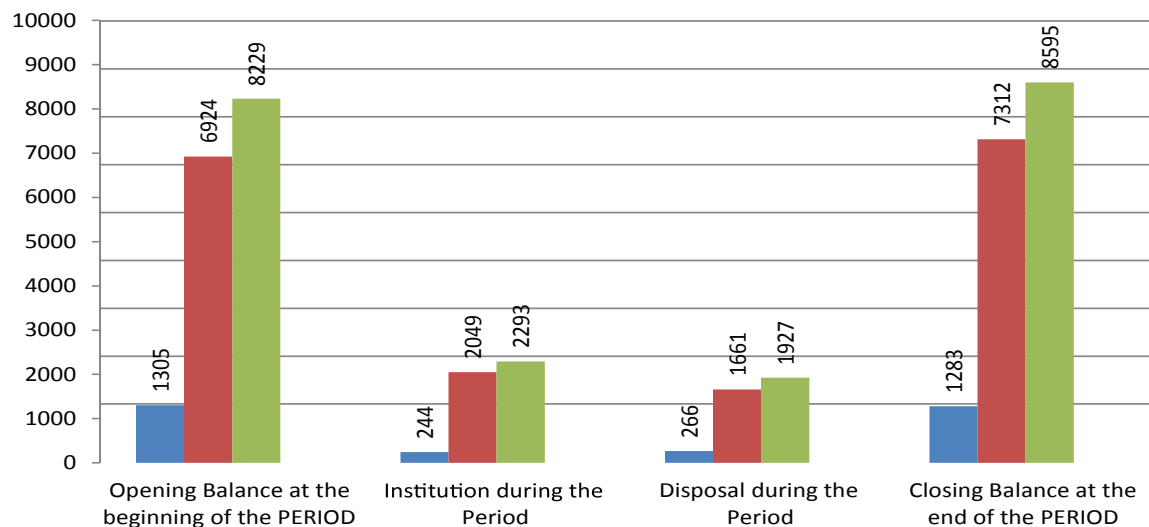
Court Manager- 01

Ministerial & Class-IV Staffs (Cadre-wise)

Cadre of Ministerial Staffs	Sanctioned strength	Present working strength	Vacancy position
Assistant	72	35	37
Stenographer	13	7	6
Typist	3	1	2
Deposition Typist	11	4	7
Driver	6	4	2
Peon	64	47	17

Judgeship wise report on Statistics for the Period Starting from January to June 2023

20 Old Case Disposal	Opening Balance at the beginning of the PERIOD			Institution during the Period			Disposal during the Period			Closing Balance at the end of the PERIOD		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
127	1305	6924	8229	244	2049	2293	266	1661	1927	1283	7312	8595



COLOUR CODE :

Blue : Civil

Red : Criminal

Green : Total

**Name of Judgeship- SIMDEGA**

Sanctioned strength, present working strength and vacancy position of Judicial Officers and Ministerial Staffs (Cadre-wise)

Judicial Officers (Cadre-wise)

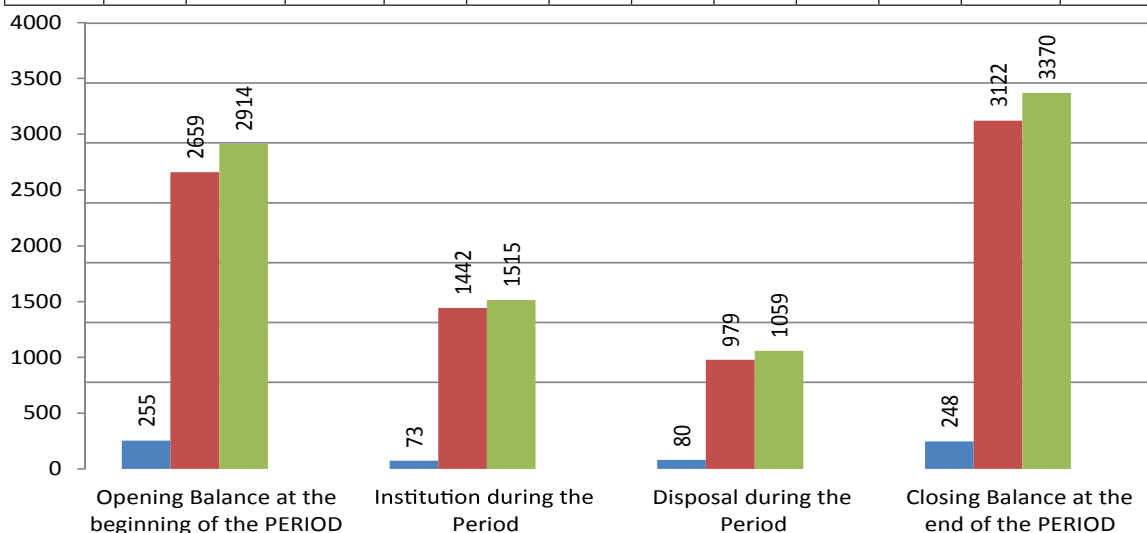
Cadre of Judicial Officers	Sanctioned strength	Present working strength	Vacancy position
Principal District Judge	-----	1	-----
District Judge		1	
Civil Judge (Senior Division)		2	
Civil Judge (Junior Division)		1	

Court Manager- 01**Ministerial & Class-IV Staffs (Cadre-wise)**

Cadre of Ministerial Staffs	Sanctioned strength	Present working strength	Vacancy position
Assistant	46	31	15
Stenographer	10	8	2
Typist			
Deposition Typist	4	4	0
Driver	4	2	2
Peon	55	43	12

Judgeship wise report on Statistics for the Period Starting from January to June 2023

20 Old Case Disposal	Opening Balance at the beginning of the PERIOD			Institution during the Period			Disposal during the Period			Closing Balance at the end of the PERIOD		
	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total	Civil	Criminal	Total
41	255	2659	2914	73	1442	1515	80	979	1059	248	3122	3370

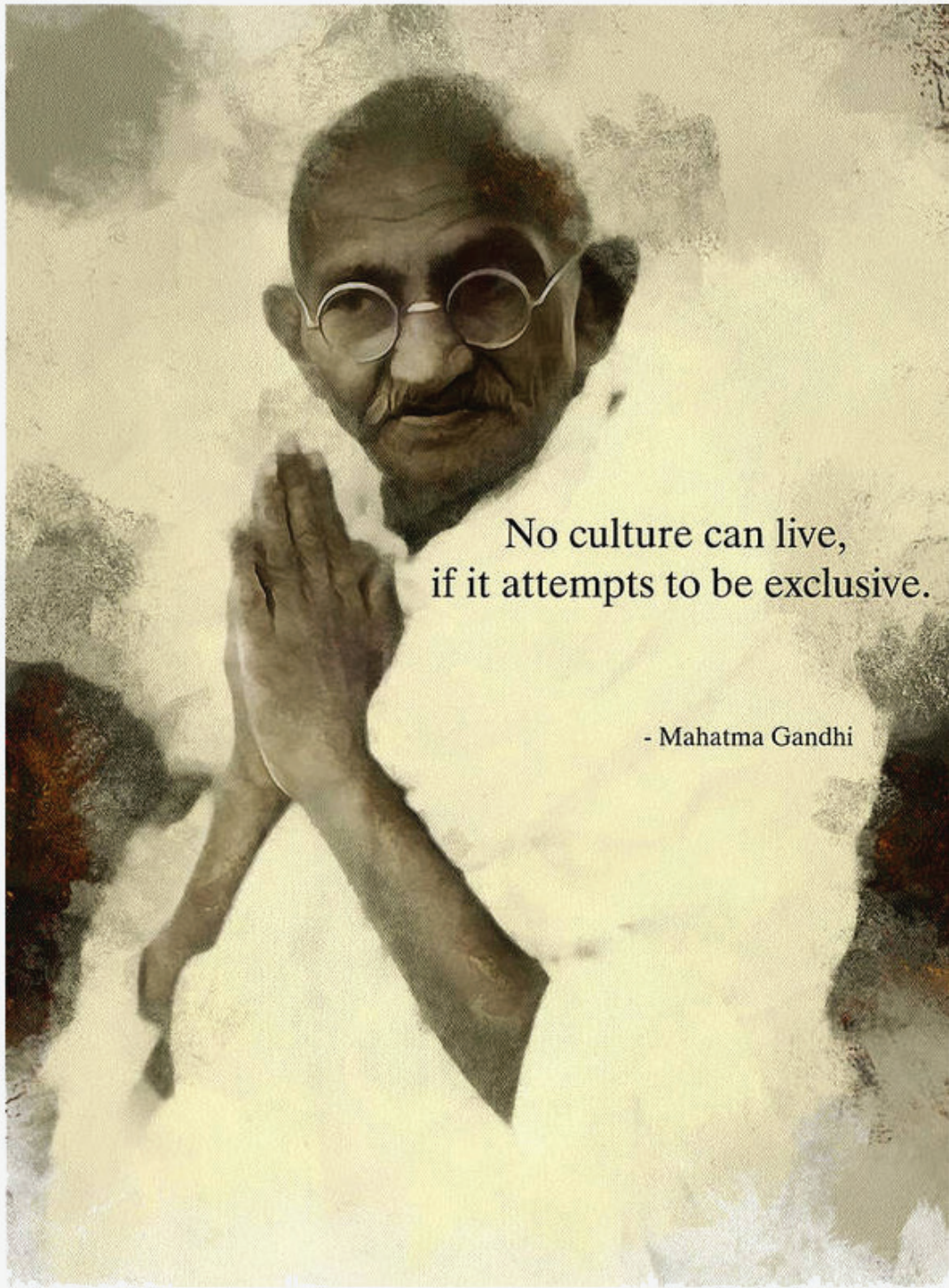


COLOUR CODE :

Blue : Civil

Red : Criminal

Green : Total




No culture can live,
if it attempts to be exclusive.

- Mahatma Gandhi

*Judicial News &
Events of
District Courts*





*“The strength of the
Constitution lies entirely in
the determination of each
citizen to defend it. Only if
every single citizen feels duty
bound to do his share in this
defense are the constitutional
rights secure.”*

Albert Einstein





सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

BOKARO

(i) District Level Multi Stake Holders Consultation Programme:-

In the light of Letter No. 3496, dated 23.12.2022 and 135, dated 10.01.2023 of the JHALSA, Ranchi; a District Level Multi Stake Holders Consultation Programme was held on 28.01.2023 at NYAYA SADAN, Bokaro. The programme was aimed at ensuring access to justice for marginalized sections of society (LGBTQ, Sex Workers, Single Women, Widow, Victims etc.) by implementation of Schemes and Projects of NALSA and JHALSA in coordination with 92 (Ninety Two) Officers of different Departments at District Level, Project Sahyog, Project Vatsalya and Project Shishu, in which the Department Heads of all the Government Departments along with the Resource Persons have benefitted the participants in the programme.



(ii) Legal Awareness Programme for Women:-

As per the guidelines of NALSA/NCW, the Legal Awareness programme for Women was organized during the week from 04th March to 4th - 11th March, 2023, which includes International Women's week for the year. The above programme aimed at spreading awareness amongst women residing in rural areas and far flung areas. About 120 women participated in the programme, who have been benefitted from the topics covered by the Resource Persons.



- (iii) The Legal Empowerment Camps were also organized in all the Blocks on 26.03.2023 for extending the benefits of various Government schemes to the public with an objective of distributing the same to the maximum number of beneficiaries. During these Camps, around 6,61,571 people have been benefitted from the programmes and a sum of Rs. 1,09,29,41,964/- was realized.



- (iv) National Lok Adalats on all matters were organized on 11th February, 2023 and 13th May, 2023 in the premises of NYAYA SADAN, Bokaro and SDLSC, Bermo at Tenughat. The said events turned out to be a grand success with disposal of 70,063 cases and realization of Rs. 43,56,83,970/- in NLA dated 11.02.2023 and disposal of 1,11,518 cases and realization of Rs. 65,74,24,456/- in NLA dated 13.05.2023.



- (v) The 'Man Ka Milan Pakhwara' was conducted from 29th May to 14th June, 2023, wherein more than 230 Legal Awareness Programmes were organized in which around 11,000 people participated in the programme and 80 cases were disposed of.





सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

CHAIBASA

District Level Workshop on Motor Accidents Claims Tribunal on 19th March 2023



Legal Empowerment Camp on 04/06/2023 at Keraikela, Chakradharpur



CHATRA

District level Workshop on MACT held on 19.03.2023 in Chatra District



Monday, March 20, 2023 | Email: dabangnewsenglish@gmail.com

Organized one day workshop on MACT case in Civil Court

Principal District Sessions Judge, Deputy Commissioner and SP joined

DN ■ Chatra

Under the aegis of Jharkhand State Legal Services Authority, Ranchi and under the guidance of Principal District and Sessions Judge Co-Chairman Rakesh Kumar Singh, a one-day workshop was organized by Secretary Pragya Bajpai on motor vehicle accident and insurance claim in the Civil Court Auditorium. The workshop was jointly inaugurated by PJD Rakesh Kumar Singh, Deputy Commissioner Abu Imran, Superintendent of Police Rakesh Ranjan, ADJ I Rajesh Kumar Singh, ADJ III Rakesh Chandra, District Bar Council President Shakti Singh.

In the workshop, discussions were held on the provision and simplification of the process of providing timely and appropriate compensation to the families of motor accident victims. On this occasion, PJD mentioned the changes made in Jharkhand Motor Accident Laws in the year 2019 and said that within 30 days in a road accident, the police have to submit documents related to the accident in the court. If this does not happen, it is necessary to inform the court. He also said that accidents can happen anytime, so bike drivers should wear helmets and car drivers should wear seat belts. Also, if an accident happens somewhere, the people around should inform the police. Law and protection has been created. Due to which the police cannot put the name of the person who brought the injured to the hospital in his interrogation or testimony. In the workshop, the Superintendent of Police said that this year so far more than 25 road accidents have taken place in the district and most of the people who lost their lives were the bread earners of their families and most of them met with accidents due to high speed bike or vehicle driving.

DALTONGANJ

MEGA Legal Empowerment camps were organised on 28.05.2023, simultaneously in all twenty-one blocks of Palamau district. The aforesaid camps were supervised by the judicial officers of the judgeship. The Panel Lawyers and PLVs were instrumental in the organisation of the said camps.



Man ka Milan Pakhwara



DHANBAD

Awareness Camp on World's Braille Day

As per the official calendar of the JHALSA, Ranchi, Awareness Camps were organized on 04.01.2023 to create awareness on the importance of Braille as a means of communication and in the full realization of the human rights for the blind and the visually impaired people. Blind Digital Stick, Glasses, Braille Books, Hearing Aid were distributed during the aforesaid Camp.

District Level Multi Stake Holder's Consultation held on 22.01.2023

As per the direction of the JHALSA, Ranchi, The District Level Multi Stake Holder's Consultation was held on 22.01.2023.





सत्यमेव जयते

HIGH COURT OF JHARKHAND

संवाद Newsletter

January - June, 2023 (VOL. : 01)

DUMKA

2ND REGIONAL CONFERENCE AT CLUSTER 02

The Jharkhand Judicial Academy, Ranchi, held a one-day **2nd regional conference at Cluster 02 in dumka (HQ) (RC2)** on June 18, 2023, keeping with the schedule outlined in the academic calendar (2023-24). In order to ensure the conference's success, distinguished dignitaries, judicial officers, public prosecutors, executive officers, police officers, members of the local bar from the districts of **Dumka, Deoghar, Jamtara, Sahebganj, Pakur, Godda, and sub-division Madhupur and Rajmahal**, as well as press and e-media personnel, came together at the Convention Centre in Dumka.

The conference was attended by Hon'ble **Mr. Justice Pradeep Kumar Sirvastava, Judge, High Court of Jharkhand**, Director, Judicial Academy of Jharkhand, the Principal District and Sessions Judge, Dumka, the Deputy Commissioner Dumka, and other distinguished guests. Their attendance significantly enriched the conference and demonstrated their commitment to the advancement of justice and the practise of law.



GARHWA

Legal Services -cum- Empowerment Camp on 30.04.2023

Legal Services -cum- Empowerment Camps were organized in all blocks of Garhwa district on 30.04.2023 in which benefit of 20 different schemes were provided to large number of beneficiaries.



SIMDEGA

Under the direction of the Jharkhand Legal Services Authority, a Mega Empowerment camp was organized on 10.06.2023 in the Town Hall, Simdega by the District Legal Services Authority, Simdega with active coordination of the District Administration, Simdega in the benign presence of chief guest Hon'ble Mrs. Justice Anubha Rawat Choudhary Judge, High Court of Jharkhand, Ranchi.

Padma Shri Mukund Nayak was also present as the special guest on the occasion. Learned Principal District & Sessions Judge-cum-Chairman, District Legal Services Authority, Simdega was also present on the said occasion in which cash benefits were extended to a large number of beneficiaries.



