

IN THE HIGH COURT OF JHARKHAND AT RANCHI
L.P.A. No. 185 of 2026

Ranjeet Kumar Himanshu, S/o Mahendra Paswan, R/o Camp-2,
Quarter No. 4C/6, PO & PS-Sector-1, District-Bokaro

... .. Appellant

Versus

1. The State of Jharkhand
2. The Secretary, Department of Rural Development, having its office at F.F.P Building, 2nd Floor, Dhurwa, Ranchi
3. The Joint Secretary, Department of Rural Development, having its office at F.F.P Building, 2nd Floor, Dhurwa, Ranchi
4. The Deputy Commissioner, Bokaro, District Rural Development Agency, Bokaro
5. The Deputy Development Commissioner, Bokaro, District Rural Development Agency, Bokaro Respondents

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

For the Appellant	: Mr. Krishna Prajapati, Advocate
For the Respondents	: Mr. Ashok Kumar Yadav, Sr. SC-1 Mr. Aditya Kumar, AC to Sr. SC-1

Order No. 02

Dated: 25.06.2026

1. Heard Mr Krishna Prajapati for the appellant and Mr Ashok Kumar Yadav, learned Sr. SC-1, who appears with Mr Aditya Kumar for the respondents.
2. Admit. At the request and with the consent of learned counsel for the parties, this appeal is disposed of finally.
3. The appellant challenges the learned Single Judge's order dated 07.01.2026 dismissing his W.P.(S) No. 7659 of 2025 by which he had sought the setting aside of the order dated 02.05.2022 terminating his services as a peon in the office of the District Rural Development Agency (DRDA), Government of Jharkhand, Bokaro.
4. The appellant was appointed as a peon on a contractual basis with the DRDA with effect from 31.12.2005. After an almost

17-year period of service, the appellant was served with a show-cause notice by the Deputy Development Commissioner (DDC), Bokaro, on 16.03.2022, requiring him to explain why his services should not be terminated.

- 5.** The said show cause notice is exhibited at page 49 of the paper book, and the same is as vague as vagueness can be. This show cause notice states that "some material" from the office has been lost, and upon an enquiry, it was revealed that the appellant had taken such material into his house for his personal use. The show-cause notice also states that some of the material was returned by the appellant to the office.
- 6.** Crucially, the show cause notice does not identify what such material was or provide any particulars as to how much of it was returned by the appellant. This is significant because the learned counsel for the appellant submitted that the material referred to in the show cause notice was only tea powder and biscuits.
- 7.** The appellant responded to the show cause notice dated 16.03.2022 with a response dated 21.03.2022, which appears on page 50 of the paper book. In his response, he stated that he had been serving with the DRDA as a peon on a contractual basis for the past 17 years. He stated that he has a family of six, comprising his wife, three daughters, and a younger sister, who survive on his meagre earnings. He further stated that if his services are terminated, he and his family would be forced to live on the street.

- 8.** In his response, the appellant also stated that, if after several years of dedicated service, it is found that he unintentionally committed any mistake, he seeks forgiveness with folded hands and assures that such a mistake will not be repeated. Finally, the appellant concluded that his response may be accepted and that he may be forgiven, and he once again assured that no such mistake would be repeated. He submitted that he and his family would be eternally grateful if his request is accepted.
- 9.** By order dated 02.05.2022, at page 51 of the paper book, the Deputy Development Commissioner, Bokaro, under the order of the Deputy Commissioner, Bokaro, by a terse order, has simply concluded that the cause shown by the appellant was “not satisfactory” and then proceeded to terminate the services of the appellant.
- 10.** The impugned termination order dated 02.05.2022, apart from recording a terse conclusion that the appellant’s response was not satisfactory, does not give any reasons in support of this conclusion. The order does not even reflect a minimum consideration of the appellant’s response, wherein he had pointed out his 17 years of service, his financial status, and the impact that the termination could have on his family members, comprising his wife, three daughters, and a younger sister.
- 11.** The impugned termination order fails to appreciate that the appellant’s response did not contain any clear admission as is now sought to be interpreted. The response stated only that if

the respondents felt that the appellant had unintentionally committed any mistake, he was sorry for it, coupled with an assurance that the same would not be repeated.

- 12.** In the context of a lowly paid peon being continued in service on a contractual basis for a long period of 17 years, and of the impact that the termination of his services would have had upon him and his family members, at least a reasoned order, taking into account all such relevant circumstances, was a basic minimum. Even this courtesy has not been extended to the appellant.
- 13.** The issue of a vague show-cause notice amounts to no notice. Therefore, based upon a vague show-cause notice, the respondents cannot claim that the principles of natural justice were duly complied with. Similarly, passing a termination order without containing any reasons or without reflecting even a minimum consideration of the response submitted by the appellant, also does not amount to compliance with the principles of natural justice or fair play.
- 14.** There is no reason to doubt the appellant's statement that there was some issue with his taking home some tea and biscuits from the office. The show cause notice itself records that some of such material was duly returned by the appellant to the office. Possibly, no reference was made to tea and biscuits in the show cause notice because then a harsh penalty of termination after discharge of blemish less service of 17 years might have appeared ex facie disproportionate.

- 15.** Even if we assume that the appellant had taken home some tea and biscuits from the office [which we do not justify or approve], we still think that imposing the penalty of dismissal upon the appellant, a lowly paid peon working on a contractual basis for the last 17 years, is grossly disproportionate and shocks the conscience. This is certainly not justice tempered with mercy, but injustice brimming with insensitivity.
- 16.** Besides, we note that the show cause notice nowhere alleged that the appellant was in the habit of taking home any material, such as tea and biscuits, from the office for his personal use. Therefore, we will have to proceed on the premise that this was the first such instance. For such a singular incident of taking tea and biscuits from the office, we do not think that the appellant's services deserved to be terminated. This is more so considering that the appellant had continued to work on a contractual basis for a meagre salary for almost 17 years before he was visited with this bolt from the blue, without due regard for the impact it would have on his family.
- 17.** The appellant's representations following his termination have also been placed on record. In those representations, the appellant has virtually begged for mercy, but the Deputy Commissioner or the Deputy Development Commissioner, it appears, had no mercy left to offer this unfortunate appellant.
- 18.** Mr Ashok Kumar Yadav submitted that all procedures were complied with and that there was no breach of natural justice.

With respect, and as discussed above, we are unable to agree, at least on the facts of the present case. This was indeed a case of breach of natural justice by serving a vague show-cause notice upon the appellant, and after that, completely ignoring his response. The impugned order was unreasonable because it defied the doctrine of proportionality and, further, failed to take into account several relevant considerations. The certificates issued by various Deputy Development Commissioners in the past, commending the appellant's work and stating that his work was excellent, have also been ignored.

- 19.** Upon a cumulative consideration of all the above factors, we are constrained to reverse the learned Single Judge, set aside the impugned termination memo no. 17 dated 02.05.2022 and order the reinstatement of the appellant with 50% of the back wages.
- 20.** The appellant has remained out of service for the last four years. We can only imagine what his plight must have been, and, moreover, the plight of his family members, simply because their father brought some tea and biscuits from the office home to feed them. Now that we are awarding only 50% of the back wages, the appellant will have to forfeit the balance 50%, which is itself more than sufficient penalty or any for default, if any, committed by him. There is no point in prolonging this appellant's miseries any further.
- 21.** The appellant must be reinstated in service by 01.07.2026.

However, 50% of the back wages as directed by us, can be paid within a month thereafter, i.e., on or before 31.07.2026.

- 22.** Considering the experience of persistent administrative lethargy in complying with the directions of this Court, and to mitigate the sufferings of the appellant, we clarify that the Deputy Commissioner, Bokaro, and the Deputy Development Commissioner, Bokaro, should personally ensure compliance with this order within the timeline now indicated.
- 23.** The Deputy Commissioner, Bokaro, must file a compliance affidavit in this Court regarding the reinstatement of the appellant by 10.07.2026, with an advance copy to the learned counsel for the appellant. A further compliance affidavit must be filed by the Deputy Commissioner, Bokaro, on 10.08.2026, regarding payment of back wages, again with an advance copy to the learned counsel for the appellant.
- 24.** Place this matter "For Orders" on 13.07.2026 and thereafter, on 13.08.2026 to consider the compliance reports.
- 25.** This Letters Patent Appeal is allowed in the above terms without any order for costs.
- 26.** All concerned must act on an authenticated copy of this order.

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

(Rajesh Shankar, J.)