

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Civil Review No. 40 of 2025

Anand Kumar Singh, aged about 41 years, son of Sri Udit Singh, resident of Village – Balra, P.O. Babhandi, P.S. Hariharganj, District Palamau (Jharkhand).

... Petitioner/Petitioner

Versus

1. The State of Jharkhand, represented through Secretary, Department of Mines and Geology, Government of Jharkhand, having its office at Nepal House, P.O. and P.S. Doranda, District Ranchi-834002.
2. The Deputy Commissioner, Palamau, P.O. and P.S. Daltonganj, District Palamau, PIN 822101.
3. The District Mining Officer, Palamau, P.O. and P.S. Daltonganj, District Palamau, PIN 822101

... Respondents/Respondents

**CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE DEEPAK ROSHAN**

For the Petitioner: Mr. Sumeet Gadodia, Advocate
Mrs. Shilpi Sandil Gadodia, Advocate
For the Respondents: Mr. Sanjay Kumar Tiwari, S.C.-I

02/Dated: 24.02.2026

1. Heard the learned counsel for the parties.
2. The petitioner seeks review of our order dated 06.02.2025, passed in W.P. (C) No. 3852 of 2024, to the extent it does not, according to the petitioner, grant the petitioner consequential relief.
3. Mr Gadodia submits that this Court, by the order dated 06.02.2025, had, in fact, struck down the orders terminating the petitioner's lease. He submitted that the decision in **Beg Raj Singh v. State of U.P. and Ors, (2003) 1 SCC 726**, was cited before the Division Bench which passed the order dated 06.02.2025 to the effect that a petitioner ought to be ordinarily restored to the position in which he would have been, if the wrong complained against him would not

have been done to him. He submitted that another Division Bench in the case of **Dhanbad Wine v. State of Jharkhand & Ors**, 2023 SCC *OnLine Jhar 2077*, has also upheld this principle of restitution. He submitted that non-consideration of the decision of the Hon'ble Supreme Court, which was duly cited, and, in any event, the failure to grant restitution amounts to an error apparent on the face of the record which should be corrected in this review petition.

4. Mr. Gadodia submitted that incidentally, this Court's order dated 06.02.2025 was not interfered with by the Hon'ble Supreme Court in the Special Leave Petition instituted by the State of Jharkhand. He placed on record the Hon'ble Supreme Court's order dated 23.05.2025 dismissing the State's Special Leave to Appeal (C) No. 13533/2025.

5. Mr Tiwari, the learned counsel for the respondents-State, submitted that there was no case made out for review, particularly, since the order of termination was interfered with only on the ground of denial of natural justice. He submitted that in such a situation, it was always open to the State to comply with the principles of natural justice and reach a conclusion on that basis. Accordingly, he submitted that the review petition may be dismissed, now that this Court's order dated 06.02.2025 was not interfered with by the Hon'ble Supreme Court in the State's SLP.

6. We have considered the parties' rival contentions and perused the record.

7. The argument that since the Hon'ble Supreme Court has dismissed the SLP filed by the State, we should not exercise our

review jurisdiction does not appeal to us. Firstly, when the Special Leave Petition is dismissed, there is no question of merger. Secondly, it was the State's Special Leave Petition that was dismissed, not the present petitioner's Special Leave Petition. Therefore, this review petition cannot be dismissed for non-maintainability.

8. However, the review petitioner's argument that the aspect of restitution has not been considered by this Court at all, cannot be accepted. In paragraph 11 of the order dated 06.02.2025, this Court has, in clear terms, observed that since the termination of the lease in favour of the petitioner was held as illegal, it was left open to the petitioner to approach the Civil Court to claim damages against the respondents. Thus, in this case, this Court felt the proper relief to be granted to the petitioner would be to leave it open to the petitioner to approach the Civil Court to claim damages against the respondents.

9. The above direction was passed because the order terminating the lease was interfered with primarily on the grounds of breach of natural justice. In such a situation, there was no question of extending the lease period, particularly when no such specific relief was applied for in the writ petition.

10. If the decision in **Beg Raj Singh (supra)** was indeed cited on behalf of the petitioner, the factual position in the said case offers no comparison to the facts in the present case. Even the decision in *Dhanbad Wines (Supra)* turns on facts not comparable to the present case.

11. In any event, if this Court felt that, in the facts and circumstances of the present case, damages would constitute the

appropriate consequential relief, it cannot be said that there is some error apparent on the face of the record that is required to be corrected in the exercise of its limited review jurisdiction.

12. The grant of the restitution which the petitioner now seeks, even without a specific prayer in the main petition, would require consideration of several aspects and advertence to equities.

13. Therefore, we do not think that there is any error apparent on the face of the record in this Court's approach in leaving it open to the petitioner to seek damages before a competent court of law.

14. For the above reasons, we dismiss this review petition without any order for costs.

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

(Deepak Roshan, J.)

February 24, 2026

N.A.F.R.

Manoj/Cp.2

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