IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cont. Case (Civil) No. 1041 of 2026

M/s Dhananjay Yadav, through one of its partners, Dhananjay Yadav, S/o Jhunkhun Yadav, R/o Main Road, Sesai, P.O. & P.S.-Sesai, District-Gumla

..... Petitioner

-Versus-

1. The State of Jharkhand
2. Sri Sanjay Kujur, Executive Director, Jharkhand State Building Construction Corporation, Ranchi
3. Sri Arwa Raj Mamal, Managing Director, Jharkhand State Building Construction Corporation, Ranchi
4. Sri Uma Shankar Singh, Secretary, Department of School Education and Literacy, Ranchi

..... Opposite Parties

CORAM : HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : Mr. A.K. Sahani, Advocate
For O.P. Nos. 1 & 4: Ms. Amrita Banerjee, AC to GP-I
For O.P. Nos. 2 & 3: Ms. Khalida Haya Rashmi, Advocate
Mr. Ayush Kumar, Advocate

Order No.04 **Date: 20.11.2026**

1. The present contempt case has been filed for initiating contempt proceeding against the opposite parties for their wilful and deliberate disobedience of the order dated 07.12.2022 passed in W.P. (C) No. 4001 of 2022.
2. A show cause affidavit has been filed on behalf of the opposite party Nos. 2 & 3 on 18.11.2026.
3. Ms. Khalida Haya Rashmi, learned counsel appearing on behalf of the opposite party Nos. 2 & 3, refers to paragraph Nos. 8 to 12 of the said show cause affidavit, which read as under:

> **"8. That the answering opposite parties expressly acknowledge and admit the Corporation's obligation to pay the unpaid principal balance found payable against the contractor's final bills. They do not deny the petitioner's substantive entitlement, nor**

do they seek through this show cause to reopen the work measurements or contend that no amount is due. The impediment to actual disbursement is that the revised expenditure is beyond the existing administrative approval and the revised administrative approval and corresponding budgetary allotment of the competent Department have not yet been communicated to the Corporation.

9. That the original administrative approval for each of the two projects is Rs. 4,48,29,439.89. The technically approved revised estimate for the Chainpur project is Rs. 6,19,89,500.00, approximately 38.28 per cent above the administrative approval; the revised estimate for the Albert Ekka Jari project is Rs. 5,82,97,100.00, approximately 30.04 per cent above the administrative approval. The Corporation's records state that the variations arose, inter alia, from frame-structure works and the conditions of the hilly site.

10. That paragraph 183(a) of the Jharkhand Public Works Department Code, 2012 requires submission of a revised estimate where the administratively approved estimate is likely to be exceeded by more than 20 per cent. Paragraph 123 further provides for revised administrative approval by the competent authority to the increased expenditure in cases where the approved amount is likely to be exceeded by more than 20 per cent. Accordingly, the Corporation is required to place the technically approved revised estimates and the relevant comparative statements before the competent Department for revised administrative approval and to obtain the requisite budgetary allotment.

11. That it is most humbly submitted that the Corporation has not remained inactive. By letters dated 21.05.2026, the Managing Director requested the Secretary, Department of School Education and Literacy, Government of Jharkhand to accord revised administrative approval for the two projects and has already submitted the technically approved revised estimates before the competent department, i.e O.P. No. 4. These requests were sent before the expiry of the six-week period calculated from the order dated 10.04.2026. The requests were followed up by further

letters dated 09.07.2026 and 10.07.2026 from the Executive Director, again requesting revised administrative approval on the basis of the technically approved revised estimates and referring to the order dated 10.04.2026.

12. That it is most humbly and respectfully submitted that the revised administrative approval and the requisite allotment of funds, which are necessary for release of the outstanding payment, have not yet been accorded/made available to the answering Respondent Corporation, JSBCCL. In the absence of such revised administrative approval and requisite fund allotment, the answering Respondent Corporation is constrained from releasing the outstanding amount at this stage. The circumstances necessitating the same have already been elaborately stated in Paragraph Nos. 9, 10 and 11 of the present show cause affidavit. It is, therefore, respectfully submitted that the non-release of the payment is attributable to the non-availability of the requisite approval and funds and is not on account of any wilful or deliberate disobedience of the order passed by this Hon'ble Court."

4. An interlocutory application being I.A. No. 16251 of 2026 has been filed on behalf of the opposite party No. 4.

5. Ms. Amrita Banerjee, learned A.C. to G.P.-I, while referring to the said interlocutory application, submits that neither the State of Jharkhand nor the Secretary, Department of School Education and Literacy, Government of Jharkhand was party respondent in the original writ proceeding and hence, the opposite party No. 4 may be deleted from the array of parties in the present contempt petition.

6. Having heard learned counsel for the parties and considering the show cause affidavit dated 18.11.2026 filed on behalf of the opposite party Nos. 2 & 3 as well as the aforesaid interlocutory application filed on behalf of

the opposite party No. 4, this Court is of the view that since the opposite party No. 4 i.e., the Secretary, Department of School Education and Literacy, Government of Jharkhand was not a party respondent in the writ proceeding and now the payment with respect to the work in question to the petitioner is dependent upon the administrative approval of the extra work said to have been executed by the petitioner as well as allocation of appropriate fund to make the payment for additional work to the petitioner, no useful purpose will be served by keeping the present contempt petition pending.

7. The contempt proceeding as against the opposite parties is hereby dropped.
8. The present contempt case stands disposed of.
9. However, the petitioner is at liberty to take appropriate recourse as permissible under law for redressal of its subsisting grievance.
10. I.A. No. 16251 of 2026 also stands disposed of.

(Rajesh Shankar, J.)

20.11.2026
Vikas/
Uploaded on 20.11.2026