

**(2026) 01 JH CK 1979**

**In the Jharkhand High Court**

**Case No : Writ Petition (C) No. 271 Of 2026**

Dipnarayan Marik @ Kodi Marik

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

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**Date of Decision : 29-01-2026**

**Acts Referred:**

**Citation : (2026) 01 JH CK 1979**

**Hon'ble Judges : Rajesh Kumar, J**

**Bench : Single Bench**

**Advocate : Prashant Kr. Rai, Shalini Shahdeo, Abhishek Choudhary, Aalok Kumar**

**Final Decision : Dismissed**

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## **Judgement**

Rajesh Kumar, J

1. The present writ petition has been filed for the following relief(s):

"For issuance of an appropriate Writ(s)/order(s)/direction(s), particularly a writ in the nature of Mandamus commanding and directing upon the respondents to forthwith make the payment of the compensation for the loss and agony occurred to the petitioner since the petitioner who was otherwise entitled for the job in C.C.L. has not been appointed, rather his brother namely Narayan Marik has been appointed by using forged and fabricated documents and by committing misrepresentation.

AND

Further for issuance of an appropriate Writ(s)/order(s)/ direction(s) for directing the respondents to make an inspection on the basis of the documents available with the petitioner and subsequently take strict action against the responsible person for obtaining job on the basis of fabrication and misrepresentation.

AND

Further for issuance of an appropriate Writ(s)/order(s)/ direction(s) for directing

the Respondents to bring on record the documents of Shashikant Tanti (Respondent No. 8) showing his parental name such as School Certificate or Voter Id or PAN Card or any other authentic documents which could show the original parental name of the respondent no. 8.

AND/OR

Further for issuance of an appropriate Writ(s)/order(s)/ direction(s) for directing the Respondents to take necessary action in order to terminate the services of respondent no. 8 if his appointment is found illegal during proper inspection and verification, since respondent no. 8 has made a false death certificate in the name of the petitioner and obtained the job in C.C.L by playing fraud."

2. The factual matrix, as has been disclosed in the arguments of the parties and the pleadings is that:

I. The employee of the CCL late Gurudayal Marik, who was father of the petitioner, had applied for change of employment on the basis of disability by nominating the name of the petitioner, which is otherwise permissible under the scheme in the year 1980.

II. On the basis of that, the appointment letter was issued in the name of Mr. Dipnarayan Marik claiming himself to be the son of the late employee.

III. Since the petitioner was unavailable to receive the appointment letter, his younger brother Narayan Marik received the appointment letter impersonating himself as the present petitioner and got the job.

IV. It further appears that after performing the duty for about 35 years, the said Narayan Marik has died in harness in the year 2015. After his death, his son namely Shashikant Marik, who is respondent no.8 herein, had applied for compassionate appointment and he has been provided the same in the year 2019 and he is working till date.

3. Learned counsel for the petitioner has submitted that this is a case of impersonation and the petitioner has been wrongly declared as a dead person rather the job taken by his brother Narayan Marik in the year 1980 in the name of the petitioner is wrong as the said Narayan Marik, who is own brother of the petitioner had impersonated himself as the petitioner.

4. It has been submitted by the learned counsel for the petitioner that since the appointment given to Narayan Marik, brother of the petitioner was itself wrong, therefore, the subsequent appointment given to his son Shashikant Marik on the compassionate ground in the year 2019 is also wrong and his services should be terminated.

5. This case is more or less similar to the story of Mahabharata.

6. Be that as it may, since the cause of action has arisen in the year 1980 itself, raising such a disputed question of fact and impersonation after 45 years is not

permissible and that too in a writ petition.

7. In that view of the matter, I find no reason to entertain the present writ petition, which is, accordingly dismissed.