
(2025) 07 JH CK 1207
In the Jharkhand High Court
Case No : W.P. (C) No. 1893 Of 2025

Madan Kumar Sahu

APPELLANT

Vs

State Of Jharkhand through Principal Secretary

RESPONDENT

Date of Decision : 10-07-2025

Acts Referred:

Citation : (2025) 07 JH CK 1207

Hon'ble Judges : Gautam Kumar Choudhary, J

Bench : Single Bench

Advocate : Prabhash Kumar, Manish Sharma, Lav Kumar Tiwary

Final Decision : Dismissed

Judgement

Gautam Kumar Choudhary, J

1. Instant writ petition has been filed for writ in the nature of certiorari vide Memo No.154 dated 04.02.2025 by which notice has been issued to the petitioners by the Sub Divisional Officer to appear and present before him with the relevant documents.

2. It is submitted by learned counsel on behalf of petitioners that the notice is cryptic in nature and it does not mention under what provision, the said notice has been issued. It is further submitted that in similar facts situation, notice has been quashed by the co-ordinate Bench of this Court. It is also submitted that show-cause has also been filed by way of Annexure 4.

3. In view of the fact that impugned notice does not disclose initiation of any proceeding against the petitioners and further no final decision has been taken by the authority concerned, no legal right of the petitioner can be said to be infringed for the maintainability of the writ petition. It has been held in *Siemens Ltd. v. State of Maharashtra & Others*, (2006) 12 SCC 33 that ordinarily a writ court may not exercise its discretionary jurisdiction in entertaining a writ petition questioning a notice to show cause unless the same inter alia appears to have

been without jurisdiction as has been held by the Apex Court in some decisions including State of U.P. v. Brahma Datt Sharma & Another, [(1987) 2 SCC 179 : (1987) 3 ATC 319 : AIR 1987 SC 943], Special Director v. Mohd. Ghulam Ghouse [(2004) 3 SCC 440 : 2004 SCC (Cri) 826] and Union of India v. Kunisetty Satyanarayana [(2006) 12 SCC 28 : (2006) 12 Scale 262].

Under the circumstance, Writ Petition stands dismissed. Interlocutory Application, if any, is disposed of.