

IN THE HIGH COURT OF JHARKHAND AT RANCHI

(Civil Writ Jurisdiction)

W.P. (C) No.43 of 2023

1. Ajay Kumar Bhagat, aged about 61 years, Son of Late Bibhuti Bhagat, Resident of Thana Road, Shubhas Chowk, Bundu, P.O. & P.S.-Bundu, District-Ranchi, Jharkhand.
 2. Dilip Kumar Bhagat, aged about 59 years, Son of Late Bibhuti Bhagat, Resident of Thana Road, Shubhas Chowk, Bundu, P.O. & P.S.-Bundu, District-Ranchi, Jharkhand.
 3. Pradeep Bhagat, aged about 56 years, Son of Late Bibhuti Bhagat, Resident of Thana Road, Shubhas Chowk, Bundu, P.O. & P.S.-Bundu, District-Ranchi, Jharkhand.
- **Petitioner(s)**

Versus

1. The State of Jharkhand through its Principle Secretary, Revenue, Project Bhawan, Dhurwa, P.O.+P.S.- Dhurwa, Dist.-Ranchi.
2. The Principle Secretary, Revenue, Project Bhawan, Dhurwa, P.O.+P.S.- Dhurwa, Dist.-Ranchi.
3. The Deputy Commissioner, Ranchi, P.O.+P.S.- Ranchi, Dist.-Ranchi.
4. The L.R.D.C., Bundu, Ranchi, P.O.+P.S.- Bundu, Dist.-Ranchi.
5. The Circle Officer, Bundu, Ranchi, P.O.+P.S.- Bundu, Dist.-Ranchi.
6. Amarendra Kumar Bhagat @ Amarendra Bhagat, S/o Late Madhusudan Bhagat
7. Birendra Bhagat @ Birendra Prasad Bhagat, S/o Late Rajkishore Bhagat,

8(A). Yagyasani Devi, W/o Late Dhirendra Jaiswal

8(B). Navin Jaiswal, S/o Late Dhirendra Jaiswal

8(C). Praveen Jaiswal, S/o Late Dhirendra Jaiswal

All are R/o Thana Road, Shubhas Chowk, Bundu, P.O.+P.S.- Bundu,
Dist.-Ranchi

9. Pankaj Kr. Bhagat, S/o Late Harihar Bhagat

10. Ashok Kr. Bhagat, S/o Late Madhusudan Bhagat

11. Shiv Shankar Bhagat, S/o Late Ganesh Bhagat,

12. Kanhaiya Lal Bhagat, S/o Late Ganesh Bhagat,

Respondent No.6 to 12 all Resident of Thana Road, Shubhas Chowk,
Bundu, P.O.+P.S.- Bundu, District – Ranchi, Jharkhand.

.... **Respondent(s)**

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Petitioner(s)

: Mr. Rakesh Kumar, Adv.

For the State

: Mr. Ankit Kumar, A.C. to S.C.-I

Mr. Ashim Kr. Sahani, Adv.

10/Dated: 09th March, 2026

1. The present writ petition has been filed for following reliefs:-

“for quashing the order dated 17.10.2022 passed by the Deputy Commissioner, Ranchi (Resp. No.-3), in Mutation Revision Case No.02R15/2021-22 (Annexure-3), whereby and whereunder he has been pleased to uphold the judgment/order dated 04.02.2021 passed by L.R.D.C. (Resp. No.-4), Bundu in Mutation Appeal No.01/2015-16 (Annexure-2) for cancellation of Jamabandi under Section 16 of the Bihar Tenants Holding (Maintenance of Records) Act-1973, whereby and whereunder the Learned Court of Deputy Commissioner, Ranchi has been pleased to reject the petition filed by the Petitioners against the Order 04.02.2021 passed by the Land Reforms Deputy Collector, Bundu, Ranchi for set-aside the Order dated 10.08.2002, passed by the Court of Circle Officer, Bundu, Ranchi, (Resp. No.-5), in Mutation Case No.-39R27 of 2002-03, appertaining to R.S. Khata No.-77, being Plot No.-5219, Measuring an Area 2.54 Acres of Village Bundu, P.O. & P.S.- Bundu, and Dist.-Ranchi, recorded in the name of Panchami Devi, W/o Late Bibhuti Bhagat.”

2. Admittedly, there is dispute between the private parties but the *raiyati* status of the land has not been disputed. Since, it is a dispute of apportionment, it can only be resolved by referring it under Section 3(H)(4) of the National Highways Act, 1956 which reads as under:-

“3H. Deposit and payment of amount.— (4) If any dispute arises as to the apportionment of the amount or any part thereof or to any person to whom the same or any part thereof is payable, the competent authority shall refer the dispute to the decision of the principal civil court of original jurisdiction within the limits of whose jurisdiction the land is situated.”

3. In view of above specific provision, the present writ petition is hereby disposed of directing the respondents to refer the matter for adjudication.

4. The parties are at liberty to workout their remedies before the referred court.

(Rajesh Kumar, J.)

Dated: 09th March, 2026

Amar/-

Uploaded on 11.03.2026