
2. Sandeep Singh, S/o Late Bansraj Singh, R/o Foundry Road, Near Tube Company, P.O. & P.S.-Burmamines, Town-Jamshedpur, Dist.-East Singhbhum Petitioners

Tata Steel Ltd., having its registered office at 24, Homi Mody Street,
Mumbai, Maharashtra and local works at Jamshedpur, P.O. & P.S.-Bistupur,
Dist.-Singhbhum East, Jharkhand Opposite party

For the O.P. : Mr. Amit Kr. Das, Advocate
Mr. Siddharth Jain, Advocate

03 / Dated : 09.03.2026

1. The instant civil review petition has been filed to review the order passed by this Court on 15.12.2025 in C.M.P. No. 1153 of 2025 and to restore said Misc. case no. 14 of 2024 for adjudication on merit under Order XXI Rule 97/101 of CPC.
2. To recapitulate the matter, C.M.P. No. 1153 of 2025 and C.M.P. No. 1139 of 2025 were filed by the objectors whose misc. case, filed under Order XXI Rule 97 of CPC, was rejected in the execution case.
3. Aggrieved by the said order, the petitioners, who were strangers to the decree, moved this Court in C.M.P. No. 1153 of 2025 to set aside the order passed by the Executing Court which was dismissed by this Court, whereas C.M.P. No.1139 of 2025 was allowed by the composite order.
4. It is submitted by learned counsel for the petitioners that there was error apparent on the face of record in para-26 of the order under review wherein it has been stated that not a chit of paper was filed regarding claim of the petitioners in C.M.P. No. 1153 of 2025 with respect to actual title or possession of these petitioners over the

decretal property. It is further submitted that the petitioners are the nephew of one Prahalad Singh and finally published record of rights (Khatiyani) in 1992 showed that Plot No. 451 was in illegal possession of Prahalad Singh from 1959. In this view of the matter, the petitioners being in adverse possession to it, had acquired title over it.

5. To capitulate the matter, title suit for eviction was filed way back in 1970 by opposite party-Tata Iron & Steel Company Ltd. with respect to the plot in question and the judgment and decree of eviction attained finality which was put for eviction with respect to Plot No. 451. There was document of illegal possession of Prahalad Singh but not a chit of paper was there to show that these petitioners who claimed to be his nephews were in possession of the said plot of land. If such plea is accepted to stall and delay execution proceeding, then in all cases, there will crop up some nephew or some distant relatives by filing a petition under Order 21 R 97. There was not a chit of paper filed either before the executing court or before this court to show that they are the sole heirs and descendants of the said Prahalad Singh. General rule under O 21 R 99 is that a stranger can claim title over the decretal property only after he is removed from possession. A small exception is carved out for those bonafide objectors, who can seek determination of title before their dispossession, provided they can produce some evidence of their own title or possession. Here the Petitioners in review are seeking to challenge the merit of the order by which the civil miscellaneous petition was rejected.

Under the circumstance, I do not find any merit in the instant civil review petition which is, accordingly, dismissed.

Pending I.A., if any, stands disposed of.

(Gautam Kumar Choudhary, J.)

AKT/Satayendra
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