

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(C) No. 1140 of 2019

Ashiana Housing Limited (formerly known as Ashiana Housing Finance India Limited), Kolkata and local office at Jamshedpur, District- East Singhbhum, through its Manager Land and Legal, Satyendra Narayan Singh
... .. Petitioner

Versus

State of Jharkhand & Ors. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner :- Mr. Vikash Pandey, Advocate
For the State :- Mr. Mithilesh Singh, G.A.-IV

06/07.12.2020 The present case is taken up through video conferencing.

Learned counsel for the petitioner submits that the impugned encroachment proceeding i.e. Encroachment Case No. 01 of 2016-17 has been initiated by the respondent no. 3 only with a view to harass the petitioner as the plot in question i.e. plot no. 2313 measuring an area of 04 decimals situated at village Asanbani, Thana No. 325, P.S.- Chandil, District- Saraikella-Kharsawan, was being used by Rajendra Shyamji Taunk- the predecessor-in-interest of the petitioner, as pathway since 1964. It is further submitted that the said plot is situated in the middle of the entire area measuring 09 acres being possessed by the petitioner and as such it is practically impossible to segregate the land in question from the rest part of the land.

Mr. Mithilesh Singh, learned counsel appearing on behalf of the respondents, prays for and is allowed six weeks' time to seek instruction and file counter affidavit.

In view of the said prayer, put up this case after six weeks under appropriate heading.

In the meantime, no coercive step shall be taken against the petitioner in connection with Encroachment Case No. 01 of 2016-17 with regard to the land in question.

(Rajesh Shankar, J.)