

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**W.P.(C) No.2829 of 2026**

-----  
Md. Ishaque Beg, son of Late Moiuddin Beg, resident of village  
Shahid Maidan, Pithakiari, P.O.-Nirsa Chatti, P.S. Nirsa, District-  
Dhanbad, Jharkhand. .... Petitioner.

-Versus-

1. The State of Jharkhand.
2. The Deputy Commissioner-cum-President, DMFT, Dhanbad, P.O.  
+ P.S. Dhanbad, District-Dhanbad.
3. The Executive Engineer, Minor Irrigation Division, Lubi Circular  
Road, Dhanbad, P.O. + P.S. Dhanbad, District-Dhanbad.
4. The Executive Engineer, Department of Industries, Mines and  
Geology under relevant provisions of P.W.D. Code, Dhanbad,  
P.O.+ P.S. Dhanbad, District-Dhanbad.
5. The District Fishery Officer, Dhanbad, P.O. + P.S.-Dhanbad,  
District-Dhanbad.
6. The Secretary, Gopalganj-Devi Thana Fisherman Co-operative  
Society Limited, Nirsa, P.O. + P.S. Nirsa, District-Dhanbad.  
..... Respondents.

-----  
**CORAM : HON'BLE THE CHIEF JUSTICE**  
**HON'BLE MR. JUSTICE RAJESH SHANKAR**

-----  
For the Petitioner : Mr. Prabhas Chandra Jha, Advocate  
For the State : Mr. Piyush Chitresh, A.C to A.G.  
-----

**Order No.02** **Date: 28.04.2026**

1. Heard learned counsel for the parties.
2. The petitioner challenges the tender notice for undertaking the  
renovation of Hadiyajam Bandh (pond) on the ground that the  
property in which this pond is situated and the pond itself, is the  
petitioner's private property and, therefore, no tender could have  
been issued for undertaking renovation to the said pond.
3. The dispute raised is a purely civil and personal dispute that  
cannot be effectively adjudicated by us in the exercise of our  
extra ordinary jurisdiction under Article 226 of the Constitution of  
the India. Any such adjudication would involve the determination  
of issues like title, possession etc. not to mention issues like  
whether the pond in question is some private pond as claimed by

the petitioner or a public pond to which the people are entitled to access. Such questions cannot be decided by us when exercising our summary and extra ordinary jurisdiction under Article 226 of the Constitution of the India.

4. Accordingly, we decline to entertain this petition but leave it open to the petitioner to resort to such ordinary remedies as may be available under the law for the protection of his alleged proprietary rights.
5. All contentions of all parties are, however, specifically kept open because we have not adjudicated upon such contentions.
6. The petition is disposed of with liberty in the above terms.
7. No costs.

**(M. S. Sonak, C.J.)**

**(Rajesh Shankar, J.)**

***28<sup>th</sup> April, 2026***  
***Sanjay/Rohit***  
***Uploaded on 29.04.2026***