

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P. (C) No. 2564 of 2026

 Kisun Mahto, Aged about 54 years, S/o Late Sashi Mahto, R/o Village-Sarkanda, Mouza- Jamua, P.O.-Godda, P.S.- Godda (T), District- Godda, Jharkhand. **Petitioner(s).**

Versus

1. The State of Jharkhand through The Secretary, Department of Revenue, Registration and LandReforms, Government of Jharkhand, P.O. P.S-Dhurwa, District- Ranchi Jharkhand.
2. The Commissioner, Santhal Paragna, Dumka, P.O., P.S. & District- Dumka, Jharkhand.
3. The Deputy Commissioner, Godda, P.O., P.S. & District- Godda, Jharkhand.
4. The Sub-Divisional Officer, Godda, P.O. & P.S. & District Godda, Jharkhand.
5. The Deputy Collector Land Reform, Godda, P.O., P.S. & District Godda, Jharkhand.
6. The Circle Officer, Godda, P.O., P.S. & District-Godda, Jharkhand.
7. Jamuna Prasad Sah, S/o Late Harihar Prasad Sah, R/o Village- Jamua, P.O. Godda, P.S. Godda (T), District- Godda, Jharkhand. ... **Respondents.**

CORAM : SRI ANANDA SEN, J.

 For the Petitioner(s) : Mr. Pankaj Kumar Choudhary, Advocate
 For the Respondent : Ms. Shalini Shahdeo, AC to SC (L&C)-I

02/ 17.04.2026: The relief, which the petitioner is seeking, cannot be granted under Article 226 of the Constitution of India. He is praying for stay of an execution of eviction order passed in Title Eviction Suit No.01 of 1991. He further prays that Annexure-6 be stayed.

2. Annexure-6 is nothing, but an order deputing officers to execute the decree passed by the Civil Court in Title Eviction Suit. Once a decree is sought to be executed and an order has been passed by the Executing Court and police force is sought for, the District Administration is bound to provide assistance to the Nazir to ensure that the decree is executed.

Further, the petitioner is seeking to stay the execution proceeding, which arose out of Title Eviction Suit No.01 of 1991. This relief cannot be granted under Article 226 of the Constitution of India.

3. The remedies are available to the petitioner under the Civil Procedure Code, which the petitioner did not avail and has rushed to this Court. Even if

the petitioner was not a party to the initial proceeding of eviction, the remedy is available to the petitioner, which is well defined in the Civil Procedure Code. Thus, I am not inclined to entertain this writ application under Article 226 of the Constitution of India. Liberty is reserved to the petitioner to approach the Civil Court for appropriate relief.

4. Accordingly, this writ application is dismissed.

(ANANDA SEN, J.)

17th April, 2026
Madhav/-
Uploaded on: 18 /04/2026