

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(C) No. 1093 of 2002

Rajendra Sharma (substituted vide order dated 26.11.2021)

1(a) Sunil Sharma

1(b) Sudhir Sharma

1(c) Gopal Sharma

All s/o Late Rajendra Sharma

Resident of Morhabadi, Nayatoli, P.S. Bariatu, District Ranchi

... .. **Petitioners**

Versus

1. The State of Jharkhand

2. The Special Officer,

Scheduled Area Regulation at Ranchi

3. The Deputy Commissioner at Ranchi

4. Commissioner, South Chhotanagpur Division at Ranchi

5. Agnu Munda (substituted vide order dated 24.03.2025)

5(i) Gudiya Kachhap, aged about -34 years, and

5(ii) Sony Kachhap, aged about- 27 years,

Both grand daughters of Late Aghnu Munda, Daughter of Late Saro

Munda, R/o- Nayatoli, Bariatu, RMCH Bariatu, P.O. & P.S. Bariatu,

District- Ranchi (Jharkhand) - 834009

... ... **Respondents**

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CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

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For the Petitioners : Mr. R.S.P. Sinha, Senior Advocate

: Mr. Rakesh Kumar Sinha, Advocate

For the Resp.-State : Mrs. Sweta Shukla, AC to AAG-II

For Private Respondents : Mr. J. J. Sanga, Advocate

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32/21.01.2026

Learned counsel for the parties are present.

2. This writ petition has been filed for the following reliefs:

*“For quashing of order dated 1.4.1997 passed by Special Officer, Schedule Area Regulation Ranchi (respondent no. 2) in S.A.R. Case no. 281 of 1997 as contained in Annexure no. 2 and order dated 27.9.1999 passed by Deputy Commissioner Ranchi (respondent no.3) in S.A.R. Appeal no. 73 R 15 of 1997-98 as contained in Annexure no. 3 and order dated 11.12.2001 passed by Commissioner of South Chhotanagpur Division at Ranchi (respondent no. 3) in Ranchi S.A.R; Revision no. 143 of 1999 as contained in **Annexure no. 5** by issuance of a writ of or in the nature of certiorari for the afore-said purpose AND for issuance of such other appropriate writ /writs or order/orders or direction/directions as Your Lordships may deem fit and proper for doing conscionable justice in the matter AND for*

a direction that pending hearing of this writ application the operation of orders contained in Annexure 2, 3 and 5 shall remain stayed.”

3. Learned Senior counsel for the petitioner has straightaway drawn the attention of this Court to Annexure-5, which is the last impugned order passed by the learned Commissioner in S.A.R. Revision No. 143 of 1999 and has submitted that the order itself is a cryptic order and many aspects of the matter, including the point of limitation, have not been considered by the learned Commissioner. The order dated 11.12.2001 disposing off the S.A.R. Revision No. 143 of 1999 is quoted as under:

“On perusal of the documents and the detailed order passed by the lower court I come to the conclusion that this appeal has no merit since the petitioner has failed to support his claim in the Lower Courts that the tribal land in question is a Chhaparbandi holding. As such the petition is rejected. The land be restored to O.P. within fifteen days of this order.”

4. The learned counsel also placed the order passed by the appellate authority, the Deputy Commissioner (Annexure-3), and has submitted that the submissions recorded therein itself reveal that numerous points were involved.

5. Learned counsel for the private respondents do not dispute that the impugned order passed by the learned Commissioner does not deal with the point of limitation and the said order also does not deal with many aspects of the matter.

6. Learned counsel for the respondent- State has submitted that the matter be remanded to the learned Commissioner for fresh consideration.

7. After hearing the learned counsel for the parties on the aforesaid short point, this Court is of the view that the impugned order dated 11.12.2001 passed in S.A.R. Revision No. 143 of 1999 is a cryptic order and is not dealing with many aspects of the matter including the point of limitation. Accordingly, the order dated 11.12.2001 passed in S.A.R. Revision No. 143 of 1999 cannot be

sustained in the eyes of law which is hereby set-aside for the aforesaid sole reason.

8. The parties are directed to appear before the learned Commissioner on 17.02.2026 at 11:00 a.m. (with their fresh *Vakalatnama* in case they engage a counsel).

9. Upon their appearance, the learned Commissioner is directed to decide the revision afresh by a reasoned order dealing with every aspect of the matter including the point of limitation in accordance with law after calling for the records from the concerned S.A.R. officer and appellate authority and after giving opportunity of hearing to the parties.

10. In order to ensure that no legal point remains untouched by the learned Commissioner, he may call upon the parties to file written submissions along with the judgment which they seek to rely upon. The State shall be represented before the learned Commissioner to assist in the disposal of the case.

11. The final order be passed by the learned Commissioner latest by 30th May, 2026 and a copy of the same be forwarded to the parties through speed post.

12. This writ petition is disposed of with aforesaid observations and directions.

13. Pending interlocutory application, if any, is dismissed as not pressed.

(Anubha Rawat Choudhary, J.)

Date of Order: 21.01.2026

Pankaj

Date of Uploading: 24.01.2026