

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No. 1153 of 2020

Raj Kishore Sahu, S/o Mathura Sahu. **Petitioner(s)**
Versus
The State of Jharkhand & Ors. **Respondent(s)**

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Rajendra Krishna, Advocate
Mr. Saurabh Shekhar, Advocate
For the Respondent(s) : Mr. Ranjan Kumar, AC to Sr. SC-I
For the RMC : Dr. (Mrs.) Vandana Singh, Advocate
For the Intervener : Mr. Indrajit Sinha, Advocate

13/ 15th April, 2026

I.A. No.1735 of 2026

1. This interlocutory application for intervention has been filed by the occupier of the flat unit which according to the respondent No.3 was a common guest house, but has been sold.

2. It is the case of the intervener that he is in occupation of the same and thus if he is ordered to be evicted, he will be directly affected. He further submits that the petitioner has filed this writ petition without impleading him as a party knowing fully well that any order passed in this case will directly affect the intervener.

3. Considering the submission of the parties, I find that it is a case of all the parties including the intervener that the intervener is in occupation of a unit which according to the respondents needs to be vacated. Since, this intervener is in occupation of the unit in question and any order passed in this case, will directly affect the intervener, it is necessary to implead him.

4. The Hon'ble Supreme Court in the case of "**Chopra Hotels Private Limited vs Harbinder Singh Sekhon and Others**", reported in **2026 SCC OnLine SC 545** at Paragraph No.7, has held as under:-

"7. The principles governing impleadment are well settled. Though proceedings under Article 226 of the Constitution of India are not to be controlled by the technicalities of pleadings as in an ordinary civil suit, the principles underlying Order I Rule 10 of the Civil

Procedure Code, 1908 continue to furnish sound guidance. In Mumbai International Airport Private Limited v. Regency Convention Centre and Hotels Private Limited⁴, this Court explained the distinction between a necessary party and a proper party. A necessary party is one without whom no effective order can be passed. A proper party is one whose presence enables the Court to completely, effectively and adequately adjudicate upon the questions involved. In writ proceedings, where the Court is called upon to interpret the scope and operation of an interim order already passed by it, a person who is shown to be directly and demonstrably affected by that order cannot be shut out merely because such person was not an original party to the principal challenge.”

- 5.** In view of the fact of this case and the judgment cited above, I.A. No.1735 of 2026 stands **allowed**.
- 6.** The intervener, namely, Smt. Kalal Kedia, wife of Prem Kumar Kedia, resident of 2-B, Shail Madhuri Apartment, Chunna Bhatha, Kokar, P.O. GPO, PS-Sadar, Dist-Ranchi, Jharkhand be arrayed as respondent No.4.
- 7.** The petitioner is directed to file a fresh typed copy of the cause-title page within two weeks.
- 8.** The intervener who has been impleaded today is directed to file counter-affidavit.
- 9.** The parties are directed to complete the pleadings by then.
- 10.** The interim order dated 09.02.2026 to continue.
- 11.** List this case after four weeks under the heading **“Admission”**.
- 12.** All the pending IAs, will be considered at the time of final stage.

(ANANDA SEN, J.)