

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**L.P.A. No.367 of 2012**

|                                    |     |     |             |
|------------------------------------|-----|-----|-------------|
| Seema Devi & Others                | ... | ... | Appellants  |
| Versus                             |     |     |             |
| The State of Jharkhand & Others... | ... | ... | Respondents |

**With**  
**L.P.A. No.258 of 2012**

**With**  
**L.P.A. No.295 of 2012**

**CORAM:HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD  
HON'BLE MR. JUSTICE ARUN KUMAR RAI**

|                      |                                           |
|----------------------|-------------------------------------------|
| For the Appellants   | : Mr. Manoj Kr. Tamboli, Advocate         |
|                      | : Mr. S.N.Sharma, Advocate                |
|                      | <b>[in L.P.A. No.258/12 &amp; 295/12]</b> |
|                      | : Mr. Abhijeet Kumar, Advocate            |
|                      | <b>[in L.P.A. No.367 of 2012]</b>         |
| For the Resp-State   | : Mr. Vineet Prakash, AC to SC-IV         |
| For Pvt. Respondents | : Mr. R.N.Sahay, Sr. Advocate             |
|                      | : Mr. Kirtivardhan, Advocate              |
|                      | : Mr. Aditya Aman, Advocate               |
|                      | : Ms. Pratayksha Bhaskar, Advocate        |

**Order No. 40/Dated 4<sup>th</sup> November, 2025**

- 1.** The matter pertains to the issue of order passed by the authority under Section 71A of the Chota Nagpur Tenancy Act, 1908.
- 2.** The Letters Patent Appeal being L.P.A. No.367 of 2012 has been preferred by the legal heirs of Late Jaimangal Oraon.
- 3.** The Letters Patent Appeals, being L.P.A. Nos. 258 of 2012 and L.P.A. No.295 of 2012, both have been preferred by Mutka Oraon.

**4.** Mr. Abhijeet Kumar, learned counsel representing the appellants in L.P.A. No.367 of 2012, is claiming the title over the land in question as a raiyat on the basis of adoption deed executed in favour of Jaimangal Oraon by one Late Sukhi Oraon.

**5.** The fact about the adoption of Late Jaimangal Oraon by Late Sukhi Oraon is in dispute having been disputed by Mutka Oraon, the appellant in L.P.A. Nos. 258 of 2012 and L.P.A. No.295 of 2012.

**6.** Upon this, Mr. Abhijeet Kumar, learned counsel appearing for the appellant in L.P.A. No.367 of 2012, has submitted that the issue of adoption deed is lying pending for its consideration in a declaratory suit being Title Suit No.181 of 2007 which has subsequently been renumbered as O.S. 1494 of 2019.

**7.** The private respondents are the purchasers of the said land and, as such, having interest over the property in question due to the reason that if the land will be restored in the light of the provision of Section 71A of the Chota Nagpur Tenancy Act, 1908, basis upon which the impugned orders have been passed by the Special Officer, Schedule Area Regulation, upheld up to the revisional authority, they will have interest over the property in question and as such, they are the contesting parties.

**8.** This Court is of the view, in view of the pending declaratory suit being Title Suit No.181 of 2007 renumbered as O.S. 1494 of 2019 wherein the issue of adoption deed is under consideration before the competent court of civil jurisdiction and, as such, if as on the date the issue will be answered then the question would be, in a case of order of restoration, if the land is found fit to be restored in the light of the provision of Section 71A of the C.N.T. Act, 1908, the land will be restored in whose favour, whether it is in favour of Jaimangal Oraon who is claiming the title over the land in question on the basis of adoption deed or the Mutka Oraon who is claiming the raiyati right over the land in question on the basis of khatiyani raiyat.

**9.** This Court, therefore, deems it fit and proper to wait for the outcome of the suit lying pending before the competent court of civil jurisdiction pertaining to declaration regarding the validity of the adoption deed which is pending in Title Suit No.181 of 2007 renumbered as O.S. 1494 of 2019.

**10.** This Court is of the view that the status of the said title suit is to be called for.

**11.** Accordingly, let the status of Title Suit No.181 of 2007 renumbered as O.S. 1494 of 2019 be called for.

**12.** Let this matter be posted on 25.11.2025 so that the status of the case be received on or before the next date of hearing.

**13.** Learned counsel appearing for the parties have submitted that in two cases being L.P.A. Nos. 258 of 2012 and L.P.A. No.295 of 2012, the ad interim order to maintain status quo is already there.

**14.** Hence, this Court is of the view that there is no need to pass further order.

**(Sujit Narayan Prasad, J.)**

**(Arun Kumar Rai, J.)**

**4<sup>th</sup> November, 2025**

Birendra/