

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No. 1502 of 2021

Savitri Devi wife of Anand Bouri, resident of village Pordag, P.O Pordag, P.S. Nimiaghat, District- Giridih, at present resident of village Tetulmari, P.O Chhotanagari, P.S. Katras, District- Dhanbad (Jharkhand). Petitioner(s).

Versus

1. State of Jharkhand
2. The Deputy Commissioner, Giridih.
3. The Addl. Collector, Giridih.
4. The LRDC, Giridih.
5. The Sub-Divisional Officer, Dumri, Giridih.
6. The Sub-Registrar, Giridih.
7. The Circle Officer, Dumri, Giridih.
8. Bhola Praasad, son of Jageshwar Prasad, resident of village Pordag, P.O Pordag, P.S. Nimiaghat, District- Giridih, Jharkhand. ..Respondent(s).

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s): Mr. Sunil Kumar, Advocate.

For the Respondent(s): Mr. Lukesh Kumar, Advocate.

11/09.06.2026

In this writ petition, the petitioner has prayed for following relief(s):-

“(a) For setting the order dated 7.2.2020 in Zamabandi Cancellation Case No. 6 of 2015-16 (Annexure-1) passed by respondent No. 2, whereby Zamabandi situated in Mauza Pordag in Khata No. 43 bearing Plot No. 165 having an area of 22 decimals standing in the name of the petitioner’s ancestor was cancelled under Section 21 of the Bihar Privileged Persons Homestead Tenancy Act, 1947.

(b) For direction of declaration that the respondent-authorities of the State Government cannot usurp upon itself the jurisdiction of the competent Civil Court and declare the right, title and interest of the land in question.

(c) For direction of declaration that the respondent-State of Jharkhand and/or its officers have no jurisdiction to determine the right, title and interest of the land belonging to the petitioner after execution of valid deed before the Sub-Registrar, Giridih without any adjudication by a competent court of Civil Jurisdiction.”

2. In the impugned order, the case has been registered as Zamabandi Cancellation Case but in fact it is for cancellation of “Basket Purcha” issued in favour of the petitioner, herein.

3. The case was instituted at the instance of respondent No. 8 and by the impugned order, the application preferred by respondent No. 8 was allowed.

4. After hearing the parties, I find that both the parties are claiming their title over the land in question through one mode or others. The disputed question of title is involved in this case. The dispute involved in this matter

cannot be decided in an application, filed under Section 226 of the Constitution and further, the genuineness and veracity of several documents are under question and the same needs to be verified, which requires evidence.

5. Thus, the petitioner is advised to approach the Civil Court of competent jurisdiction, impleading respondent No. 8 as party-respondent, who will decide the right, title and interest of the petitioner on the land in question without being prejudiced by the impugned order dated 7.2.2020 passed by respondent No. 2.

6. Accordingly, this writ petition stands **disposed of**.

(ANANDA SEN, J.)

09th June, 2026
Anu/-Cp2.
Uploaded on:12.6.2026