

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No.2055 of 2018

M/s Ankit Raj, a sole proprietorship firm having its registered office at Hurhuru Road, P.O. Sadar, P.S. Sadar, District Hazaribagh, through its proprietor Ankit Raj, son of Yogendra Prasad, resident of Hurhuru Road, P.O. Sadar, P.S. Sadar, District Hazaribagh. **Petitioner**

Versus

1. The State of Jharkhand, through the Chief Secretary, Government of Jharkhand, having its office at Project Bhawan, HEC, P.O. Dhurwa, P.S. Jagannathpur, District Ranchi.
2. The Principal Secretary-cum-Commissioner, Department of Industry, Mines and Geology, Government of Jharkhand, having its office at Nepal House, Doranda, P.O. & P.S. Doranda, District Ranchi.
3. The Deputy Commissioner, Hazaribagh, P.O. & P.S. Hazaribagh, District Hazaribagh.
4. The District Mining Officer, Hazaribagh, P.O. & P.S. Hazaribagh, District Hazaribagh.

... .. **Respondents**

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Shresth Gautam, Advocate
 Mr. Himanshu Harsh, Advocate

For the Respondent(s): Mr. Indranil Bhaduri, Advocate

09/ 06.04.2026

By filing this writ petition, the petitioner has prayed for the following reliefs:-

"for issuance of appropriate writ(s), order(s) and/or direction(s), including a Writ in the nature of mandamus directing upon the respondents to refund the amounts of the value of the sand ghat paid by the petitioner at the time of auction and the security deposit deposited by it after the settlement of the sand ghat situated at Urimari, Hazaribagh with penal interest as the plot which had been settled in favour of the petitioner pursuant to the auction were not situated in the Panchayats in which the same were claimed and moreover the same had been auctioned

fraudulently by misrepresenting its distance from the forest land."

2. Heard learned counsel representing the petitioner and learned counsel representing the respondents.

3. During the course of argument, learned counsel representing the petitioner submits that now the amount which the petitioner had deposited has already been refunded in March, 2026, but he is entitled for interest over the amount which was kept by the respondent – State.

4. After hearing the parties, I find that pursuant to an auction of a "*sand ghat*", the petitioner had deposited a substantial amount of Rs.15,91,000/- (Rupees Fifteen Lakh Ninety-One Thousand). Ultimately, the State could not handover the "*sand ghat*" to the petitioner, who was the successful bidder, on the ground that the "Environment Clearance" could not be obtained. The aforesaid amount of Rs.15,91,000/- was deposited in the year 2015 and only in March, 2026, the State refunded the amount of Rs.15,91,000/- to the petitioner. It is also an admitted fact that the State held the amount for a long period.

5. In a similar batch of writ petitions being ***W.P.(C) No.3387 of 2022 (Sanjeev Kumar Vs. The State of Jharkhand & Ors.) and analogues cases***, the Division Bench of this Court while allowing the said writ petitions vide order dated 07.08.2023, directed the concerned respondent to refund the amount along with interest @ 6% per annum, to be calculated from the date of deposit till the date of actual payment.

Similar was the case in a writ petition being ***W.P.(C) No.227 of 2022 (Mahadev Enclave Pvt. Ltd. Vs. State of Jharkhand & Ors.)***, wherein the Division Bench of this Court directed to refund the amount with interest @ 6% per annum.

6. It is an admitted case that in those aforesaid cases, interest @ 6% per annum, has already been paid.

7. The case in hand is exactly similar to the aforesaid writ petitions. In those writ petitions also, possession of the "*sand ghat*" could not be handed over even after depositing the amount, due to lack of "Environment Clearance".

8. When an amount is retained by any Authority, even by the State, the said amount earns something. No amount lies idle. When the State had received Rs.15,91,000/-, the State definitely have earned from the aforesaid amount by utilizing the same. It is not a case where the amount of Rs.15,91,000/- remained unutilized by the State, thus the State is entitled to pay the interest also.

9. Considering the order passed by the Division Bench of this Court in exactly similar cases, I direct the respondent - State to pay the amount of interest @ 6% per annum to the petitioner, from the date of deposit till the date of actual payment. The amount should be paid within a period of eight weeks from the date of receipt of copy of this order.

10. With the aforesaid observations, this writ petition stands **disposed of.**

(ANANDA SEN, J.)