

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W. P. (C) No. 5060 of 2011

Amit Narayan @ Amit Narayan Sinha, S/o Sri Indu Narayan Prasad,
 R/o Pachamba, P.O.-Pachamba, P.S.-Giridih(T), Dist.-Giridih

... Petitioner

Versus

1. State of Jharkhand
2. The Secretary Urban Development Department, Govt. of Jharkhand,
Ranchi
3. The Deputy Commissioner, Giridih, P.O., P.S. & Dist.-Giridih
4. Giridih Municipality through its Chairman P.O., P.S. & Dist.-Giridih
5. The Executive Officer, Giridih Municipality, P.O., P.S. & Dist.-Giridih
6. The Sub-Divisional Officer, Giridih, P.O., P.S. & Dist.-Giridih
7. The Circle Officer, Giridih, P.O., P.S. & Dist.-Giridih
8. Additional Collector, Giridih, P.O., P.S. & Dist.-Giridih

... Respondents

CORAM: HON'BLE MR. JUSTICE GAUTAM KUMAR CHOUDHARY

For the Petitioner	: Mr. Sudhir Sahay, Advocate
For the State	: Ms. Shalni Sahdeo, AC to (L&C)-1
For Respondent Nos. 4 & 5	: Mr. Shadab Bin Haque, Advocate
	Mr. Ankit Apurva, Advocate

Oral Order

27 / Dated : 10.07.2025

1. The instant writ petition has been filed for issuance of appropriate direction upon the respondents to restrain them from constructing children park over an area of 1.65 acres of land in Khata No. 163, Plot No. 179 out of which 80 decimals of land belong to the petitioner.
2. A supplementary counter affidavit has been filed on behalf of the State on 18.02.2025 annexing the order passed by the Deputy Municipal Commissioner, Giridih stating therein that, earlier an approval had been given for construction of children park to be made on the said plot in a meeting in the year 2008. However, after the dispute arose and was objected to by the petitioner, the proceeding which was initiated under Section 144 Cr.P.C. being Case No. 776 of 2010 was dropped, as the matter involved title which could be decided only by civil court of competent jurisdiction. Further, a decision was taken that no construction has been done on the said land.
3. It is submitted that in view of the conscious decision, no park is being

constructed over the said land in question.

4. In this view of the matter, the *lis* does not survive and the instant writ petition has become infructuous.

Accordingly, this writ petition stands dismissed as infructuous.
Pending, I.A., if any, stands disposed of.

(Gautam Kumar Choudhary, J.)

AKT/Satendra