

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No. 1849 of 2020

Mina Singh, Aged about 45 Years, Wife of Sri Anil Singh, Resident of Janta Flat No. 17/8, Road No. 11, Addityapur-2, P.O. Adityapur, P.S.-R.I.T., District - Seraikella- Kharsawan, Jharkhand.

... .. **Petitioner(s)**

Versus

1. The State of Jharkhand.
2. The Managing Director, Jharkhand State Housing Board, Ranchi, At Harmu, P.O. -Harmu, P.S.- Argora, District- Ranchi, Jharkhand.
3. The Secretary, Jharkhand State Housing Board, Ranchi, At Harmu P.O.-Harmu, P.S.- Argora, District- Ranchi, Jharkhand.
4. The Deputy Commissioner, Seraikella- Kharsawan, At Seraikella, P.O. & P.S.- Seraikella, District- Seraikella-Kharsawan, Jharkhand.
5. The Deputy Collector, General Section, Seraikella-Kharsawan, P.O. & P.S.- Seraikella, District- Seraikella-Kharsawn, Jharkhand.
6. The Executive Engineer, Jharkhand State Housing Board, Jamshedpur Division, Adityapur, P.O. & P.S.- Adityapur, District-Seraikella- Kharsawan, Jharkhand.
7. The Municipal Commissioner, Municipal Corporation, Adityapur, P.O. & P.S.- Adityapur, District- Seraikella - Kharsawan, Jharkhand.
8. The Officer Incharge, R.I.T. Police Station, Adityapur-2, P.O.- Adityapur, P.S.-R.I.T. Adityapur-2, District- Seraikella-Kharsawan.
9. The Sub - Divisional Officer, Electric Supply Sub Division, Adityapur, P.O. & P.S.- Adityapur, District- Seraikella-Kharsawan.
10. Smt. Parnita Ojha, Wife of Sri Ravi Ojha, At Present un authorizes occupancy of Janta Flat No. 17/12, Adityapur-2, P.O.- Adityapur, P.S.- R.I.T., Adityapur-2, District- Seraikella-Kharsawan, Jharkhand.

... .. **Respondent(s)**

With

W.P.(C) No. 949 of 2020

Pranita Ojha, aged 45 years, wife of Shri Ravi Kumar Ojha, Resident of Janta Flat No.17/12, PO-Adityapur, PS-R.I.T, Dist-Seraikella-Kharswan.

... .. **Petitioner(s)**

Versus

1. Jharkhand State Housing Board having its Head office at Harmu Housing Colony, P.O. Harmu, P.S: Argora, District: Ranchi.
2. The Managing Director, Jharkhand State Housing Board having its Head office at Harmu Housing Colony, PO-Harmu P.S: Argora, District: Ranchi.
3. The Executive Engineer, Jharkhand State Housing Board, Jamshedpur Division having its office at Adityapur, P.O: Adityapur, P.S: R.I.T, District: Seraikella-Kharswan.

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Sachin Kumar, Advocate
 Mr. Vivek Aditya, Advocate
 Mr. Mahesh Kr. Sinha, Advocate
 Mr. Gaurav Priyadarshi, Advocate
 Mr. A.K. Yadav, Advocate

For the Respondent(s) : Mr. Ashwini Bhushan, AC to Sr. SC-II
 Mr. Prabhash Kumar, Advocate
 Mr. Manish Sharma, Advocate
 Mr. Ganesh Ram, Advocate
 Mr. Ranjan Prasad Sinha, Advocate

03/ 21st April, 2026

1. Heard the parties.
2. The petitioner, in W.P.(C) No. 1849 of 2020, prays for a direction to allow the petitioner to install a Water Tank on the roof of Janta Flat No.17/12, Road No.11, Adityapur-2 on the appropriate place.
3. It is the case of the petitioner that the respondent No.10 is not allowing the petitioner to install the water tank.
4. Learned counsel for the respondent No.10 submits that the petitioner has never approached the appropriate authority under the Jharkhand State Housing Board. He submits that because of personal differences, this case has been instituted.
5. The petitioner, in W.P.(C) No. 949 of 2020, has challenged Annexure-3 which is a letter contained in Memo No.487 dated 01.06.2019, whereby the petitioner has been declared to be an unauthorized occupant and he has been asked to evict himself or else, appropriate action would be taken. Further, he has also prayed to quash the letter No.15 dated 06.01.2020 (Annexure-5), wherein the respondent No.3, the Executive Engineer, Jharkhand State Housing Board issued direction to the Town Commissioner, Municipal Corporation, Adityapur and to Sub-Divisional Officer, Electricity Supply to cut the electric and water connection of the flat No.17/12 of the petitioner.
6. In both the cases, the learned counsel appearing on

behalf of the Jharkhand State Housing Board submits that the parties are unauthorizedly occupying the flat in question. He submits that the petitioner in W.P.(C) No. 1849 of 2020, is staying in the flat on the basis of a Power of Attorney, which is absolutely illegal, though the flat has been allotted to someone else.

7. So far as the second case i.e., W.P.(C) No. 949 of 2020 is concerned, he submits that there was a rental agreement between the parties, which has come to an end long back in the year 2011.

8. The learned counsel for the Jharkhand State Housing Board submits that the Jharkhand State Housing Board is taking appropriate steps for eviction of both the unauthorized occupants.

9. Considering the said submission, I disposed of both these writ applications, directing the respondent-Jharkhand State Housing Board to proceed against these petitioners, as per law.

10. It is made clear that without an appropriate proceeding instituted under the law, no one can be evicted from the premises.

11. So far as the disconnection of electricity and water is concerned, the same cannot be done by the Jharkhand State Housing Board.

12. The petitioners, till they are in occupation, they are entitled for the electricity and water services provided, they pay the charges of the same.

13. So far as construction of water tank is concerned, if the petitioners are legally occupant of the said flat, they should approach the Jharkhand State Housing Board, for the appropriate relief.

14. With the aforesaid observations, these writ petitions stand **disposed of**.

(ANANDA SEN, J.)

21.04.2026
S.K.D/CP-2

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