

2026:JHHC:13450

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P. (C) No. 3410 of 2026

Arjun Chandra Bhakat @ Arjun Bhakat, aged about 63 years, son of Late Hem Charan Bhakat, resident of House No.81, Village Kokda, Potka, P.O. Rmakhamines, P.S. Jadugora, District East Singhbhum, Jharkhand.

.... Petitioner(s).

Versus

1. The State of Jharkhand
 2. The Secretary, Department of Revenue, Registration and Land Reforms, having its office at Project Bhawan, P.O. Dhurwa, P.S. Jagannathpur, District Ranchi, Jharkhand.
 3. The Deputy Commissioner, East Singhbhum, having its office at Collectorate Building, P.O. and P.S. Sakchi, District East Singhbhum, Jharkhand.
 4. The Circle Officer, Potka, having its office at Office of the Circle Officer, P.O. and P.S. Potka, District East Singhbhum
- ... Respondents.**

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Vikas Kumar, Advocate
For the Respondents : Mr. Mohan Dubey, AC to AG

02/ 06.05.2026: Heard the learned counsel for the petitioner and the learned counsel for the respondents.

2. By filing this writ petition, the petitioner prays for following relief:

“(a) Issue an appropriate writ, order or direction, particular in the nature of mandamus, commanding the respondents, more particularly respondent No.3, to forthwith stay the operation and implementation of the notices dated 02.12.2024, 11.06.2025 and 14.03.2026 (Annexure-4, Annexure-6 and Annexure-8), issued in J.P.L.E. Case No.27/2024-25, whereby and whereunder the petitioner has been directed to file show cause as to why the alleged encroachment over the said land should not be removed;

(b) Issue an appropriate writ, order or direction, particularly in the nature of certiorari, for quashing and setting aside the aforesaid notices dated 02.12.2024, 11.06.2025 and 14.03.2026 (Annexure-4, Annexure-6 and Annexure-8), issued under Section 3 of the Jharkhand Public Land Encroachment Act in J.P.L.E. Case No.27/2024-25, as being illegal, arbitrary and without jurisdiction;

(c) Issue an appropriate writ, order or direction declaring that the initiation and continuation of proceedings under Section 3 of the Jharkhand Public Land Encroachment Act against the petitioner is wholly illegal, arbitrary and unsustainable in the eyes of law.”

3. The prayer of the petitioner is for a direction upon the respondents to stay the operation and implementation of the notices dated 02.12.2024, 11.06.2025 and 14.03.2026 and quashing the same.
4. After going through the record, I find that admittedly the notices were issued under the Jharkhand Public Land Encroachment Act in a proceeding initiated in J.P.L.E. Case No.27/2024-25.
5. Since merely a notice has been issued, the petitioner has to appear before the authority concerned.
6. Thus, I direct the petitioner to approach the Circle Officer-cum-Collector and put his defence before him, who will decide the objection raised by the petitioner on merits by giving an opportunity of hearing to the petitioner and pass a reasoned order.
7. It is expected that without giving a proper opportunity of hearing to the petitioner, no adverse order should be passed against the petitioner.
8. It is made clear that even after giving an opportunity of hearing to the petitioner, if he doesn't appear, in that scenario, the authority can proceed *ex-parte* against him.
9. It is also expected that the proceeding should be concluded at the earliest without giving any unnecessary adjournments.
10. With the aforesaid observations and directions, this writ petition is disposed of.

(ANANDA SEN, J.)