

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P. (PIL) No. 5672 of 2025

Arvind Kumar Singh Petitioner
Versus
The State of Jharkhand and Others Respondents

CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner: Mr. Arjun Narayan Deo, Advocate
Ms. Karishma Kumari, Advocate
For the Respondents: Mr. Piyush Chitresh, A.C. to A.G.

05/Dated: 12.03.2026

1. Heard the learned counsel for the parties.
2. The allegation in this petition is that a large tract of government land admeasuring approximately 87.41 Acres was encroached upon by "Bhu Mafias" and, the State authorities, despite complaints, were not initiating any action.
3. Mr. Ashok Kumar Bharti, the Circle Officer, Chandwara, has filed an affidavit in response to this petition on 29th January 2026.
4. Mr. Piyush Chitresh, learned A.C. to A.G. invited our attention to paragraph nos. 5 and 6 of this affidavit. In paragraph no. 5, the affiant has merely referred to the allegations in the petition, but in paragraph no. 6, the affiant has stated thus:-

"6. That para 4 is denied as upon thorough verification of revenue records and physical spot inspection conducted by the competent authorities, it has been conclusively found that a substantial (maximum) portion of the aforesaid land is lying vacant, open, unoccupied and free from any form of illegal possession. The sweeping allegation of encroachment over the entirety of the land, as projected by the petitioner, is therefore factually incorrect, grossly exaggerated and misleading."

5. There are further statements that insofar as “the negligible and fractional portions” of the above property, which is claimed by certain individuals, the State is contesting their claim. Mr. Piyush Chitresh states that proceedings have already been initiated to clear these persons from the negligible and fractional portions of the property, which the petitioner alleges has been encroached upon or usurped by the “Bhu Mafia”.

6. If the contents of the affidavit are correct, then, possibly, we would be in a position to give a quietus to this petition. However, before we do that, we note that the averments in paragraphs 5 and 6 are a little vague. There is no statement about the area which is vacant, unoccupied and in possession of the government and the area which is now described as negligible and fractional portion. No map/plan was also enclosed with the affidavit. No photographs have been placed on record showing the extent of the open and unoccupied land in the possession of the Government.

7. The status of proceedings against those who have occupied the allegedly negligible and fractional portion is also not disclosed.

8. Therefore, before we consider disposing of this petition, we direct the concerned respondent to file a fresh affidavit giving all the above details together with photographs, plans, measurement, etc. Such affidavit should be filed by 2nd of April 2026 after serving an advance copy on the learned counsel for the petitioner.

9. The petitioner is also granted liberty to file his own affidavit in support of his claim that the entire area of 87.41 acres has indeed

been encroached upon by the “Bhu Mafia” or anyone else. He is also given the liberty to produce photographs, plans, maps etc. to make good his allegations. He should file his affidavit after serving an advance copy on the learned counsel for the respondents latest by 2nd of April 2026.

10. List this matter on 9th April 2026 “High on Board”.

(M. S. Sonak, C.J.)

(Rajesh Shankar, J.)

March 12, 2026

Manoj/ Sharda/Cp.1