

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

W.P.(C) No. 2300 of 2020

Shri Ram Thakur

... ... Petitioner

Versus

Adityapur Municipal Corporation, through the Town Commissioner,  
Adityapur, District- Seraikella-Kharsawan ... ...Respondent

**CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR**

For the Petitioner :- Mr. Prashant Pallav, Advocate

For the Respondent :- Mr. Ranjan Prasad Sinha, Advocate

04/18.01.2021 The present case is taken up through video conferencing.

The present writ petition has been filed for quashing the notice as contained in memo no. 1929 dated 31.07.2020 issued by the Municipal Commissioner, Municipal Corporation, Adityapur.

Learned counsel for petitioner while assailing the impugned notice dated 31.07.2020 submits that the same has been issued in colourable exercise of power as the content of the said notice would itself suggest the fact that it has not been issued in violation of Section 319 (2) of the Jharkhand Municipal Act, 2011, rather the same has been issued with an intention to dispossess the petitioner from the land situated at Mauza- Adityapur, Ward No. 08, khata no. 245, khesra no. 167/part measuring an area of 0.04 acre (hereinafter to be referred as "the said land") where the Municipal Corporation, Adityapur (the respondent no.1) wants to construct a new office building. It is further submitted that the said land has been leased to the petitioner for 30 years and before completion of the said period of lease or cancelling the same, the respondent no. 1 cannot dispossess the petitioner from the said land.

Mr. Ranjan Prasad Sinha, learned counsel for the respondent, prays for and is allowed six weeks' time to seek instruction and file counter affidavit.

Put up this case after six weeks under the heading "For Admission".

In the meantime, the parties shall maintain status-quo as existing today over the said land pursuant to impugned notice as contained in memo no. 1929 dated 31.07.2020 issued by the Municipal Commissioner, Municipal Corporation, Adityapur.

**(Rajesh Shankar, J.)**