

IN THE HIGH COURT OF JHARKHAND AT RANCHI

L.P.A. No. 286 of 2022

1. Irshad Alam Khan, son of Late Aziz Khan
 2. Sajid Khan, son of Lae Sarif Khan
 3. Shiv Narayan Yadav, son of Gokul Yadav
- All are residents of Village Bhadwa, P.O. Chainpur, P.S. Mandu, District Ramgarh

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...

Appellant

Versus

1. The State of Jharkhand through its Chief Secretary, Government of Jharkhand, Project Building, P.O. & P.S. Dhurwa, District Ranchi
 2. Additional Collector, Hazaribagh, P.O. & P.S. Hazaribagh, District Hazaribagh
 3. Land Reforms Dy. Collector (LRDC), Ramgarh(Previously, Hazaribagh), P.O. & P.S. Ramgarh, District Ramgarh
 4. Circle Officer, Hazaribagh
 5. Bijay Sahu, son of Beni Sahu, resident of Bargaon, P.O. & P.S. Mandu, District Hazaribagh
 6. Jamo Devi, widow of Ludha Gope @ Laldhar Gope
 7. Ram Sewak Gope, son of Late Ludha Gope @ Laldhar Gope
- No. 6 & 7 are residents of Bargaon, P.O. & P.S. Mandu, District Hazaribagh
8. Sanju Devi, wife of Thannu Yadav, daughter of Late Ludha Gope, resident of Village Pachra, Mandar Tola, P.O. Digwar, P.S. Mandu, District Ramgarh

... Respondents

CORAM: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY
HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA

For the Appellants	: Mr. A. K. Sahani, Advocate
For the Respondent-State	: AC to Mr. Ashutosh Anand, AAG-III
For the Respondents-5-8	: None

Order No. 10

Dated 07th January, 2025

Heard Mr. A. K. Sahani, learned counsel appearing for the appellant and learned AC to AAG-III, appearing for the State. None appears on behalf of the respondents No. 5 to 8 despite service of notice.

This appeal is directed against the order dated 20.06.2022 passed by the learned Single Judge in W.P.(C) No. 5601 of 2006, whereby and

whereunder, the writ application was disposed of with a direction to the LRDC, Ramgarh to initiate Revenue Assessment Case No. 01 of 1990 afresh and pass order in accordance with law with a further direction that the L.R.D.C. Ramgarh shall ensure that all the parties be properly substituted and notice be issued to the necessary parties.

Although Mr. Sahani, learned counsel for the appellant has raised various points assailing the impugned order dated 20.06.2022 including absence of the provision of law for assessment of rent but it appears from the impugned order that the prayer of the petitioners as well as the interveners (appellants) was similar and the same reads as under:-

“Learned counsel for the petitioners as well as learned counsel for the intervenor has submitted, that though father of the original writ- petitioner, namely, Baidh Mahto has died on 18.03.1955 and on the basis of issuance of notice upon said Baidh Mahto on 04.03.1990, the impugned orders i.e. order dated 10.05.1990 passed by LRDC, Hazaribagh in Rent Assessment Case No.1 of 1990 and the order dated 14.10.2003 passed by learned Additional Collector, Hazaribagh, in Mutation Revision No.25 of 1990 as well as the order dated 21.08.2006 passed by learned Commissioner, North Chotanagpur Division, Hazaribagh in Revision Case No.08 of 2004 are fit to be set aside and this Hon'ble Court may direct the L.R.D.C., Hazaribagh now Ramgarh to initiate rent Assessment Case No.01 of 1990 afresh and pass order, in accordance with law.”

The learned Single Judge on consideration of the prayer made by the writ petitioner as well as the interveners (appellants) had accepted the same as there was no objection from the side of the State or the respondent No. 5 and had directed the L.R.D.C., Ramgarh to initiate Revenue Assessment Case No. 01 of 1990 afresh and pass orders in accordance with law.

In view of the submission advanced by the learned counsel for the appellant before the learned Single Judge when he had appeared on behalf of the interveners and which was accepted by the learned Single Judge, we do not find any reason to cause interference in the impugned order dated 20.06.2022 passed in W.P.(C) No. 5601 of 2006 and, accordingly, this Letters Patent Appeal stands disposed of. However, the appellants are at liberty to raise all their points before the L.R.D.C. in Revenue Assessment Case No. 01 of 1990 which is still said to be pending as submitted by the learned counsel for the appellants.

(RONGON MUKHOPADHYAY, J.)

(PRADEEP KUMAR SRIVASTAVA, J.)

7.1.2026

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