

IN THE HIGH COURT OF JHARKHAND AT RANCHI

S.A. No. 98 of 2022

Meera Devi	...	...	Appellant
	Versus		
Champa Devi and others	...	...	Respondents

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Appellant	: Mr. Jorong Jedan Sanga, Advocate
	: Mr. Randhir Kr. Sharma, Advocate
For Resp. Nos. 15 to 20	: Md. Imran Beig, Advocate

17/20.01.2026 Learned counsel for the appellant and respondent nos. 15 to 20 are present.

2. Learned counsel for the appellant submits that the suit property consisted of Khata No. 178, Plot No. 3344 area 0.03 acres and Plot No. 3345 area 0.25 acre, total 0.28 acre which originally belonged to Chhatu Ram Bhadani, S/o late Rupan Ram Bhadani who had purchased it vide registered sale-deed dated 15.09.1937. The learned counsel submits that the plaintiff had purchased the suit property by virtue of registered sale-deed dated 12.02.1962. However, in the record-of-rights, the old plot no. 3344 corresponding to new plot no. 7188 was recorded in the name of another Chhotu Ram, son of Bhotu Ram (defendant no.2) and the old plot no. 3345 corresponding to new Plot Nos. (i) 7191 and (ii) 7192 was recorded in the name of Ramgolpal Nath (father of defendant no.1) and as soon as the plaintiff came to know about wrong entry in the record-of-rights , the suit was filed.

3. The defendant no. 3 was the contesting defendant who stated that Chhatu Ram Bhadani had taken loan from LIC by pledging property in C.S. Plot No. 3345, 3347 and 3348 and the property was auction sold and was purchased by LIC and sale certificate was also issued on 30.06.1966. The LIC had filed execution case for realization of the balance amount and the defendant no. 3, being the Karta of the family, settled the matter with LIC and execution proceeding was dropped.

4. The learned counsel submits that the defendant no. 3 never made out a case that old plot no. 3344 was also pledged with LIC and was subject matter of sale certificate. The learned counsel submits that the suit could not have been dismissed in connection with both old plot no. 3344 and 3345. He submits that a substantial question of law be framed and decided.

5. Learned counsel for the appellant has also submitted that the registered sale-deed no. 1101 dated 12.02.1962 executed by Chhatu Ram Bhadani has been declared to be a sham transaction although the said deed was never challenged at any point of time.

6. Considering the submissions, this appeal is ***admitted*** for final hearing on the following substantial question of law:

“Whether the learned courts were justified in holding that the sale-deed dated 12.02.1962 was a sham and collusive document while deciding issue nos. 8 and 9?”

7. Issue notice to the respondents (except respondent nos. 15 to 20) for which requisites etc. under speed post as well as ordinary process be filed within a period of one week from today.

8. Learned counsel for the respondent nos. 15 to 20 has already entered appearance, therefore, no notice need be issued to the aforesaid respondents.

9. Office to track speed post delivery and prepare appropriate office note with regard to service of notice.

10. Call for the records from the learned court concerned.

11. Post this case on 25th February, 2026.

12. Let this order be communicated to the learned court concerned through ‘FAX/email’.

(Anubha Rawat Choudhary, J.)

Pankaj