

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W. P. (C). No.5881 of 2025

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Prakash Kumar Agarwal, aged about 63 years, son of Late Ladu Ram Agarwal, resident of Purana Bizli Office Road, Dumka, P.O. Dumka, P.S. Dumka (Town), District – Dumka **Petitioner**

Versus

1. The State of Jharkhand through Commissioner, Santhal Pargana Division, Dumka, having its office at Commissioner, Santhal Pargana Division, P.O. Dumka, P.S. Dumka (Town), District- Dumka (Jharkhand)

2. The Deputy Commissioner, Dumka, having its office at Dumka, P.O. Dumka P.S. Dumka (Town), District Dumka (Jharkhand),

3. The Sub-Divisional Officer-cum-Rent Controller, Dumka, having its office at Dumka, P.O. Dumka, P.S. Dumka (Town), District Dumka (Jharkhand),

4. Suresh Sharma, aged about not known, son of Late Sriram Sharma, resident of Bara Thakur Bari Road, Dumka, P.O. Dumka, P.S. Dumka (Town), District Dumka (Jharkhand) **Respondents**

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Petitioner : Mr. Indrajit Sinha, Advocate

Mr. Rishav Kumar, Advocate

For the State : Mrs. Nirupama, AC to Sr.SC-II

For the Resp. No.4 : Mr. Shailesh Kr. Singh, Advocate

Order No.05/13.11.2025

This writ petition has been filed on behalf of the petitioner by challenging the order dated 11.09.2025 (i.e. Annexure-13) passed by the Respondent No.1 in H.R.C Revision No.81 of 2025-26 and order dated 20.05.2025 (i.e. Annexure-5) passed by the Respondent No.2 passed in H.R.C Appeal No.01/2023-24 and order dated 07.11.2023 (i.e. Annexure-4) passed by the Respondent No.3 in HRC Case No.01/2023.

2. During course of argument, learned counsel for both the sides have agreed for settlement and compromise in this case.

3. The learned counsel for the petitioner after taking instruction from the petitioner, has submitted at Bar that the petitionenr is ready for settlement. However, the petitioner will

vacate the quarter shop in question by 31st January 2026 and the arrears of rent Rs.1,56,000/- (Rs. One Lakh Fifty six thousand) may not be charged from him.

4. Mr. Shailesh Kumar Singh, learned counsel appearing on behalf of the Respondent No.4 after taking instruction from Respondent No.4 has submitted at Bar that the Respondent No.4 is also ready for compromise and he will not claim any arrears of rent from the petitioner for the period he has not paid rent. However, his shop may be vacated by 31st of January 2026.

5. As learned counsel for both the sides have submitted at Bar jointly for compromise and hence the petitioner and learned counsel for the Respondent No.3 are not making submission in this case on merit.

6. Accordingly, the W.P (C) No.5881 of 2025 stands disposed of with direction to the petitioner to vacate the quarter positively on or before 31st of January 2026 and the Respondent No.4 shall not charge any arrears of rent for the said period from the petitioner and till then, no coercive step will be taken against the petitioner.

7. In the meantime, the Sub-Divisional Officer-cum-Rent Controller, Dumka may not take any coercive step against the petitioner.

8. However, if the petitioner fails to comply with this order, then he may be liable to pay even the rent and also for prosecution.

9. This W.P.(C) No.5881 of 2025 stands disposed of.

10. Let a copy of this order be sent to all concerned.

(Sanjay Prasad, J.)