

IN THE HIGH COURT OF JHARKHAND, RANCHI

Contempt Case Civil No. 954 of 2024

Paresh Nayak	--	Versus	--	 Petitioner(s)
The State of Jharkhand and Another				 Opposite Parties

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner(s)	:-	Mr. Shashank Shekhar, Advocate
For the State	:-	Mr. Ashutosh Anand, Advocate

6/02.05.2025 This contempt petition is filed pursuant to the direction the Deputy Commissioner, Ranchi to take a decision upon the representation of the petitioner within four weeks for supply the certified copy within four weeks further thereafter. Pursuant to that, the petitioner has approached the Deputy Commissioner and a show cause has been filed stating therein that the order has been passed and the decision has been taken and in the order it has been admitted that the name of the ancestors of the petitioner are there in the Khatiyan as well as Teriz, however, it is disclosed that the rent fixation case is not found. However, it has been only disclosed with regard to Rent Fixation Case No.9 of 1977-78 as well as 8 of 1978-79. Since in the Khatiyan the name of the ancestors of the petitioner is there, the Court is not satisfied and the show cause was directed to be filed and pursuant to that the supplementary show cause has been filed by the Circle Officer, Namkum wherein in the Khatiyan is disclosed which clearly suggest the name of the ancestors of the petitioner are there and in Teriz also the name of the petitioner is there and in Exhibit -6 at page no.27 that has also been accepted by the Circle Officer, however, in the Online entry the name of some other persons are also recorded which clearly suggest that Register II is manipulated and a lame excuse is taken by the Deputy Commissioner, Ranchi that the records are not there. As he is the

head of the revenue department of the district and he is competent to take a decision either by reconstruction of the file or make enquiry and this is happening frequently and the Court's order was to take a decision with regard to supply of the document and a lame excuse is made and it is said that the records are not there and in view of that the said supply will not be made, the petitioner may approach the competent court and it is well settled that if a writ Court sent the matter to a particular authority to take a decision on the representation, that is required to be looked into the order and has to pass a reasoned order. Merely saying that the documents are not available, that will not be correct on the part of the contemnor.

2. In view of above, the Deputy Commissioner, Ranchi is further directed to file the show cause as to why a contempt proceeding be not initiated against the Deputy Commissioner for non-supply of the correct document to the petitioner.

3. He will do so within two weeks.

4. Let it appear after three weeks on the assigned day.

(Sanjay Kumar Dwivedi, J.)

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