

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No. 6299 of 2023

Hasiba Khatoon			Petitioner
Versus			
State of Jharkhand & Ors.		...	Respondents

CORAM : HON'BLE DR. JUSTICE S.N. PATHAK

For the Petitioner	:	Mr. Atanu Banerjee, Advocate
For the Resp-State	:	Ms. Divya, AC to SC-III

4/ 04.12.2023 It has been submitted by learned counsel for the petitioner that admittedly, the partition suit, being Original Suit No. 1274 of 2019 is pending before the competent Court of Civil jurisdiction. During pendency of the partition suit, other sides were stopped from erecting any construction, as the order was passed by the Municipal Corporation stopping the construction till the pendency of the partition suit.

The petitioner is aggrieved that during pendency of the partition suit, the order passed by the Municipal Corporation has been recalled and the private parties are going ahead with the construction.

Since no counter affidavit has been filed by the respondent-State, they are directed to file the same.

Let notices be issued to respondent nos. 8 and 9 in the admission matter for which requisites etc. must be filed within two weeks through registered cover with A/D, as also under ordinary process.

In the meantime, no construction shall be made on the land situated at Mauja- Mohlichuwa, Thana No. 96, Thoka No. 252, 253, Khewat No. 1, Toji No. 15/11, bearing Holding no. 303 in Ward No. 25 of Giridih Municipal Corporation.

(Dr. S. N. Pathak, J.)

R.Kr.