

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No.3213 of 2026

1. Kuldeep Kumar Mahto.
2. Nand Kishore Mahto,
Both son of Lakshmi Nath Mahto
3. Gulab Mahto, son of Sukra Mahto.
All resident of Khunti Toli, Torpa Road, P.O. + P.S. Khunti,
District Khunti, Jharkhand.

... .. **Petitioners**

Versus

1. State of Jharkhand.
2. Sub-Divisional Magistrate, Khunti, P.O. + P.S. Khunti, District Khunti.
3. Lakhan Mahto
4. Raju Mahto
5. Mahesh Mahto.
Respondent Nos.3 to 5, son of Late Raghunath Mahto.
6. Sankranti Devi, W/o Late Ganesh Mahto.
Respondent Nos.3 to 6, resident of Khunti Toli, Torpa Road, P.O. +
P.S. Khunti, District Khunti, Jharkhand.

... .. **Respondents**

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Vishal Kumar Rai, Advocate
 For the Respondent(s): Mrs. Moushmi Chatterjee, AC to GA-V

02/ 04.05.2026

By filing this writ petition, the petitioners have prayed for
 the following reliefs:-

"I. *For the Issue an appropriate writ, order or direction, including a writ in the nature of certiorari, for calling upon the records of the proceedings of Case No.M-263/2025, and for quashing and setting aside the notice dated 25.10.2025 (Annexure-3) along with entire proceeding initiated by the Sub-Divisional Magistrate, Khunti, whereby proceedings under Section 164 of the Bharatiya Nagarik Suraksha Sanhita,*

2023 has been initiated and continued, despite the undisputed fact that the land situated at Village Khunti Tola, P.S. Khunti (Thana No.80), Khata No.71 (Plot Nos.442, 443, 444, 448, 449) and Khata No.70 (Plot Nos.445, 446, 447, 688, 689) admeasuring 1.74 Acres stands partitioned in favour of Harakhman Mahto (great grandfather of the petitioners) in Partition Suit No.100/1966.

- II. For issuance of an appropriate writ, order or direction commanding the respondent authorities not to give effect to, or act upon, the impugned notice dated 25.10.2025 (Annexure-3) passed in Case No.M-263/2025 until the final adjudication of the present writ petition.*
- III. Issue appropriate writ granting an interim order/stay staying the operation, implementation and execution of the notice dated 25.10.2025 (Annexure-3) passed by the Sub-Divisional Magistrate, Khunti in Case No.M-263/2025, during the pendency of this writ petition.”*

2. Heard learned counsel representing the petitioners and learned counsel representing the respondents.

3. From the aforesaid prayer of the petitioners in this writ petition, since I find that merely a notice has been issued, I am not inclined to entertain this writ petition.

4. The petitioners should appear before the Sub Divisional Magistrate, Khunti, and place all the documents including the

judgment passed in the suit, which will be considered and an appropriate order will be passed at the earliest, preferably within a period of three months, after hearing all the parties concerned.

5. It is expected that if any judgment has been passed by the appropriate Civil Court in relation to the land in question, the same will be considered by the Authorities.

6. With the aforesaid observation and direction, this writ petition stands **disposed of**.

(ANANDA SEN, J.)

04th May, 2026
Prashant. Cp-2

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