

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W. P. (C) No. 7070 of 2023

Sushila Joshi	...	...	Petitioner
Versus			
The State of Jharkhand & Others	...	...	Respondents

CORAM : HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

For the Petitioner : Mr. Sumeet Gadodia, Advocate
For the Respondents : Mr. Gaurav Raj, AC to AAG II

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2/14.12.2023 It has been submitted by Mr. Sumeet Gadodia, learned counsel appearing for the petitioner that the property in question which is being sought to be demolished by the respondent no. 7 to 11 with the connivance of the district administration was initially constructed by Laxman Shankar Joshi, the father-in-law of the present petitioner after the land was leased out to his eldest son by the Tata Steel Ltd. It has been submitted that it was a joint Hindu property and after the death of Laxman Shankar Joshi, the respondent no. 7 as well as other sons of Laxman Shankar Joshi had claimed exclusive right over the said property which compelled the petitioner to prefer Title Suit No. 99 of 2015 and during the pendency of this title suit, an agreement was entered into between both the sides and the matter was settled. Mr. Sumeet Gadodia, learned counsel for the petitioner further submits that on 02.12.2023, the respondent nos. 7 to 11 with the help of the administration had tried to demolish that part of the building which was in the exclusive possession of the petitioner being 1/3rd part of the property as agreed upon in the compromise entered into in Title Suit No. 99 of 2015.

Mr. Gaurav Raj, learned AC to AAG II appearing on behalf of the respondent nos. 1 to 4 prays for and is allowed four weeks' time to seek instruction and file counter affidavit.

In the meantime, issue notice to the respondent nos. 7 to 11 as to why this application be not admitted and/or be disposed of at the admission stage itself for which requisites under registered cover with

A/d as well as through ordinary process be filed by 22.12.2023, failing which this application shall stand rejected without further reference to a Bench.

Let this case be listed under the appropriate heading on 13.02.2024.

Until further orders, the concerned respondents are restrained from forcibly demolishing or dispossessing the petitioner from the property in question.

In view of the above, I.A. No. 11185 of 2023 stands disposed of.

List this case accordingly.

(Rongon Mukhopadhyay, J)