

IN THE HIGH COURT OF JHARKHAND AT RANCHI
C.M.P. No. 2 of 2026

Shiv Lal Das @ Shiv Lal Mallah, aged about 69 years, S/o Late Ram Briksh Das, R/o Near Aanganwadi, Chandaaur Pahari, P.O. & P.S. Sijua, District- Dhanbad
 **Petitioner(s)/ Judgment Debtor/ Defendant**

Vrs.

1. Mala Singh, D/o Dineshwar Singh, W/o Sanjay Kumar Mukherjee, R/o Bharat Coke House, Tetulmari, P.O. Sijua, P.s Tetulmari, District- Dhanbad, Jharkhand
 **Opposite Party(s)/ Decree Holder/ Plaintiff**

2. Sanjay Pandit, S/o Late Yamuna Kahar, R/o Nagrikala, P.O. & P.S. Tetulmari, District Dhanbad **Performa Opposite Party(s)/ Judgment Debtor/ Defendant**

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CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Petitioner(s) : Mr. Lukesh Kumar, Advocate

For the O.P.(s) :

02/20.01.2026 The present CMP has been filed for the following relief(s)

“For quashing of order dated 19.05.2025 passed in Execution Case No. 58/2019 arising out of Title Suit No. 37/2012 (Annexure-5 series) passed by Shri Suresh Oraon, Learned Civil Judge (Jr. Div.)-V, Dhanbad whereby and whereunder the objection petition filed by the petitioner has been dismissed.

And/or

Further the Petitioner prays for setting aside the order dated 24.09.2025 and 10.11.2025 passed in Execution Case No. 58/2019 arising out of Title Suit No. 37/2012 (Annexure-5 series), passed by Shri Suresh Oraon, Learned Civil Judge (Jr. Div.)-V, Dhanbad whereby and whereunder direction has been issued to issue a writ on delivery of possession;

And/or

Further the Petitioner prays for issuance of direction to stay the further proceeding of Execution Case No. 58/2019 pending in the Court of Ld. Civil Judge (Jr. Div.)-V, Dhanbad in Execution Case No. 58/2019(Annexure-5 series)”

2. The decree clearly states about the declaration of right, title, interest of the plaintiff/ opposite party herein and confirmation of

possession of the Schedule-A property. Schedule -A land has been described in the decree itself.

3. It has been submitted by the learned counsel for the petitioner that his property does not fall under the suit property.

4. Be that as it may, it is settled principle of law that the Executing Court is supposed to strictly execute the decree only and cannot deviate from the decree.

5. With the above observations, the present CMP stands disposed of.

(Rajesh Kumar, J.)

20.01.2026
A. Mohanty
Uploaded

____/____/2026