2026:JHHC:18997

IN THE HIGH COURT OF JHARKHAND AT RANCHI

WP(C) No.4487 of 2026

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1. Vishundev Ray, Aged about 65 years, Son of Late Kati Ray, Resident of Village- Bengabad, P.O. & P.S. Bengabad, District- Giridih.
2. Basaki Rana, Aged about 46 years, Son of Late Jagdish Rana, Resident of Village- Damodardih, P.O. & P.S. Bengabad, District- Giridih.
3. Ram Naresh Gope @ Naresh Gope, Aged about 43 years, Son of Ram Lakhan Gope, Resident of Village-Bengabad, P.O. & P.S.-Bengabad, District- Giridih.
4. Pankaj Ram, Aged about 52 years, Son of Kedar Ram, Resident of Village Bengabad, P.O. & P.S.-Bengabad, District Giridih.
5. Deepak Kumar Singh, Aged about 35 years, Son of Pramod Kumar Singh, Resident of Village-Manikpur, P.O. & P.S.-Budhai, District-Deoghar.
6. Surendra Soren, Aged about 36 years, Son of Rupnarayan Soren, Resident of Village Bathanbari, P.O. & P.S. Bengabad, District-Giridih.
7. Bharat Pandit, Aged about 41 years, Son of Nilkanth Pandit, Resident of Village Madanpur, P.O. & P.S. Budhai, District Deoghar.
8. Pradeep Kumar Singh, Aged about 33 years, Son of Khublal Singh, Resident of Village Bathanbari, P.O. & P.S. Bengabad, District Giridih.
9. Binay Kumar @ Binay Kumar Yadav, Aged about 55 years, Son of Satyanarayan Mahto, Resident of Village & Post-Badkitand, P.S.-Bengabad, District Giridih.
10. Harihar Prasad Yadav @ Hari Yadav, Aged about 62 years, Son of Late Kulaman Yadav, Resident of Village-Ghaghra, P.O.- Badkitand, PS-Bengabad, District Giridih.

… Petitioner(s).

Versus

1. The State of Jharkhand
2. The Deputy Commissioner, Giridih, P.O. & P.S. Giridih, District Giridih.
3. Circle Officer, Bengabad, P.O. & P.S.-Bengabad, District Giridih.

… Respondent(s).

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. P. K. Paul, Advocate
Mr. Avishek Chandra, Advocate
For the State : Md. Shahabuddin, SC-VII

……..

02 /30.06.2026: Heard the learned counsel representing the petitioners and the learned counsel representing the respondents.

2. The petitioners are aggrieved by Annexure-5 of the writ petition, thus, challenges the same.

3. Annexure-5 is a notice issued to 19 persons, named therein.

4. In the said notice it has been mentioned that in Mouza Bengabad, Khata no. 106, Plot no. 230 having total area of 12.75 acres is a land belonging to the Government and it is these petitioners who have constructed their house illegally by encroaching the said area. Thus, a notice has been issued to the petitioners to remove the same.

5. Learned counsel for the petitioners submits that the State has lost the title suit which they had filed and the land cannot be said to be encroached by these petitioners.

6. Since merely a notice has been issued against the petitioners for removal of the encroachment, I am not inclined to entertain this writ petition.

7. The petitioners if so advised may appear and file their reply to the said notice. It is expected that proper proceeding will be initiated thereafter in terms of the Bihar (Jharkhand) Public Land Encroachment Act and an appropriate order will be passed complying all the provisions of the law before taking any action against the petitioners.

8. Be it noted that this notice will be treated as a notice under section 3 of the Bihar (Jharkhand) Public Land Encroachment Act.

9. If the petitioner has already filed a reply, the same will be part of the proceeding.

10. Accordingly, this writ petition is **disposed of**.

(ANANDA SEN, J.)

30.06.2026
Tanuj/CP-2
Uploaded on 06.07.2026