2026:JHHC:25787

IN THE HIGH COURT OF JHARKHAND AT RANCHI

WP(C) No.6459 of 2026

Smt. Shobha Devi, wife of Sri Niranjan Kumar, R/o village Kumhar Toli, Bherwa, PO and PS Madhupur, District Deoghar, Jharkhand **… Petitioner(s).**

Versus

1.The State of Jharkhand
2.The Deputy Commissioner, Deoghar
3.The Superintendent of Police, Deoghar
4.The Circle Officer, Madhupur, PO and PS Madhupur, District Deogher
Officer-in-charge Madhpur Police Station, PO and PS Madhupur, District Deoghar
5.Ashok Kumar Das, son of late Saryu Das
6.Raju Das @ Rajesh Kumar Anand, son of Ashok Kumar Das
7.Abhishek Kumar Das @ Abhishek Anand, son of Ashok Kumar Das
Respondent nos. 5 to 7 are resident of Khudimodi Road, Chandmari, PO and PS Madhupur, District Deoghar

… Respondent(s).

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Mahesh Kr. Sinha, Advocate
Mr. Suman Kr. Sinha, Advocate
For the State : Mr. Ashok Kr. Yadav, Sr.SC-I

……..

03 /27.08.2026: Heard the learned counsel representing the petitioner and the learned counsel representing the respondents.

2. By filing this writ petition, the petitioner has prayed for the following reliefs:

> *"For issuance of an appropriate Writ(s), Order(s) or Direction(s), particularly in the nature of Mandamus, commanding upon the Respondent Authorities to discharge their statutory duties and, in particular, directing Respondent No.4-the Circle Officer, Madhupur, District-Deoghar, to enforce and give effect to his Official Notice dated 27.05.2021 (Annex. No.2), whereby the private respondent nos. 5 to 7 were directed to remove the illegal encroachment from the petitioner's registered land, but no consequential action was taken thereafter. The petitioner further prays for a direction upon the respondent authorities to remove the illegal encroachment from the petitioner's privately owned and registered land comprised*

in Mouza-Bherwa, Thana No.274, Settlement Plot No.987/1027, Jamabandi No.108/1-K (Present Jamabandi No.108/K-1), situated within Madhupur Circle, District-Deoghar, restore petitioner's peaceful possession, protect her proprietary rights including her right of ingress and egress, and implement all statutory proceedings already initiated by the Revenue Authorities in accordance with law.

And/Or

For issuance of any other appropriate Writ(s)/ order (s) / direction(s) as this Hon'ble Court may deem fit and proper under the facts and circumstances of this case and in the interest of justice, equity and good conscience."

3. The petitioner wants execution the order passed by the Circle Officer in the encroachment proceeding.

4. Admittedly final order has been passed under the Jharkhand Public Land Encroachment Act by the Circle Officer to remove the encroachment. Though no reference of the provision of the law has been mentioned in the impugned order passed by the Circle Officer, even presuming the same is under the Jharkhand Public Land Encroachment Act, this Court is not an executing Court to execute the order passed by the Circle Officer under the Jharkhand Public Land Encroachment Act.

5. Thus, I am not inclined to entertain this writ petition under Article 226 of the Constitution of India.

6. The petitioner if at all has any grievance, she may approach the Deputy Commissioner of the District-Deoghar.

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

8. Pending I.A. also stands disposed of.

(ANANDA SEN, J.)

27.08.2026
Tanuj/CP-2

Uploaded on 28.08.2026