IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No.5169 of 2026

Akhtar Hussain, son of Late Saiyad Hussain, resident of Makdampur, Road No.2, House No.57, Makdampur-02, P.O. Tatanagar, P.S. Parsudih, Town Jamshedpur, District East Singhbhum, State Jharkhand. **... ... Petitioner**

Versus

1. State of Jharkhand.
2. Deputy Commissioner, East Singhbhum, Jamshedpur, having its office at Sakchi, P.O. and P.S. Sakchi, District East Singhbhum.
3. Senior Superintendent of Police, East Singhbhum, Jamshedpur, having its office at Sakchi, P.O. & P.S. Sakchi, District East Singhbhum.
4. Sub-Divisional Officer, Dhalbhum, P.O. + P.S. Dhalbhum, Jamshedpur, East Singhbhum.
5. Officer-in-charge, Parsudih Police Station, P.O. & P.S. Parsudih, District East Singhbhum.
6. Khairun Nisha, wife of Abdul Majeed
7. Kamrul Hudda
8. Atique-ur-Rehman
9. Naushad Gaddi, son of Arwar Gaddi
10. Khalik, son of Anwar Gaddi
11. Badku, son of Anwar Gaddi
12. Chatku, son of Anwar Gaddi
13. Halima Khatoon.

Respondent Nos.6 to 13, are residents of Road-02, near 02 Number Imambada, P.O. Taranagar, P.S. Parsudih, Town Jamshedpur, District East Singhbhum, State Jharkhand.

... ... Respondents

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Jitendra Nath Upadhyay, Advocate
For the Respondent(s) : Mr. Mrinal Kanti Roy, Advocate

02/ 22.07.2026

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

> *"a) For the issuance of an appropriate writ/writs, order/orders, direction/directions upon the respondents-authorities for taking action against the private respondents to stop the sale and purchase of the land of the petitioner pertaining to plot no.165, Khata No.307, Mouza-Kalimati, Thana No.1163, area 3 kathas total area 4.95 decimals.*
>
> *b) For the issuance of an appropriate writ/writs,*

order/orders, direction/directions upon the private respondents to return the entire amount pursuant to sale of the land of the petitioner pertaining to plot no.165, Khata No.307, Mouza-Kalimati, Thana No.1163, area 3 kathas total area 4.95 decimals which was sold illegally."

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

3. Learned counsel representing the petitioner submits that a title suit being Original Suit No.85 of 2024, is pending between the parties, in the Civil Court, Jamshedpur, but in spite of filing of the said suit, the respondents are selling the land.

4. After going through the writ petition and the prayer made therein, I find that the dispute is between the petitioner and private respondents. The Title Suit is also pending between the parties.

5. If the petitioner is aggrieved by any of the action of the private respondents and wants to injunct them, he must take recourse of Order XXXIX, Rule 1 & 2 of the Civil Procedure Code (CPC). Rushing to the High Court by filing an application under Article 226 of the Constitution of India, claiming the aforesaid reliefs, is not the proper approach.

6. With the aforesaid observation, this writ petition stands **dismissed**.

7. The petitioner is at liberty to approach the Civil Court in connection with the aforesaid title suit and file an application under Order XXXIX, Rule 1 & 2 of the CPC, which will be considered by the Court concerned on its own merit, without being prejudiced by the order of this Court.

(ANANDA SEN, J.)

22nd July, 2026
Prashant. Cp-2

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