IN THE HIGH COURT OF JHARKHAND, RANCHI
W.P. (C.) No. 3173 of 2008
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1. Jemal Kisku @ Jimal Kisku S/o Late Lakhan Kisku

2. Sushil Kisku son of late Shankar Kisku

3. Moharil Kisku son of late Ruben Kisku

4. Suniram Kisku son of late Ruben Kisku

5. Binod Kisku son of late Ruben Kisku

6. Rameshal Kisku @ Rameswar Kisku son of late Ruben Kisku

7. Sunil Kisku son of late Gopin Kisku

8. Santosh Kisku son of late Gopin Kisku

9. Chutar Kisku @ Chhutar Kisku son of late Jolha Kisku

All are the residents of village- Bisunpur, P.O. P.S.- Shikaripara, S.C. Dhaka, Subdivision and District- Dumka.

.... Petitioner

-- Versus --

1. The State of Jharkhand.

2. Commissioner, Santhal Pargana Division, Dumka

3. Settlement Officer, Dumka

4. Assistant Settlement Officer, Dumka

5. Bijay Hembrom son of Charan Hembrom

6. Kiran Hembrom son of late Jaidhan Hembrom

7. Rambilash Hembrom son of late Jaidhan Hembrom

8. Albin Hembrom son late Jaidhan Hembrom

9. Krishna Hembrom son of late Jaidhan Hembrom

10. Jasai Hembrom son of Mohril Hembrom

11. Dhudhi Hembrom son of Mohril Hembrom.

Respondents No. 6 to 11 are the residents of village- Bishunpur, S.C. Dhaka, P.O. + P.S.- Shikaripara, Subdivision- Dumka,

District- Dumka.

12. -/16/- anna raiyats of Mouza Bishunpur, S.C. Dhaka, P.S.+ P.O. Shikaripara, Sub-Division- Dumka, District- Dumka.

.... Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner	:-	Mr. Anil Kumar, Sr. Advocate
		Ms. Chandana Kumari, Advocate
		Mr. Prabhat Kumar Singh, Advocate
		Mr. Aniket Kumar Ojha, Advocate
For the State	:-	Mr. Vishal Kumar Rai, AC to GA-IV
		Mr. Bhanu Pratap, AC to GA-IV
For Resp. No. 5-11	:-	Mr. D.C. Mishra, Advocate

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*14/**23.03.2026*** Heard learned counsel appearing for the petitioner and learned counsel appearing for the State.

2. This writ petition has been filed for quashing the order dated 31.03.2008 passed in RMA No. 95 of 1987-88 by respondent no. 2 and the order dated 10.04.1987 passed by respondent no. 3 in Fouti Case No. 69 of 1987 whereby the direction has been issued for settlement of land in favour of the private respondents with respect to the land of Jamabandi No. 22 of Mouza Bishunpur.

3. Mr. Aniket Kumar Ojha, A.C. to Mr. Anil Kumar, learned Senior counsel, submits that land of Jamabandi No. 22 of Mouza Bishunpur is jointly recorded in the name of Sido Kisku and Dhakhin Kisku who are the sons of Furlai Kisku in the last Survey Settlement Operation commonly known as Gentzer's Settlement showing the aforesaid land given in the Jimanama of the then Pradhan Bagmat Hembrom. By referring para-5 of the writ petition, he submits that genealogy has been disclosed therein and in the light of said

genealogy, he submits that the petitioners and the recorded tenants are descendants of the common ancestor Sham Manjhi.

4. He further submits that the Sido Kisku and Dhakhin Kisku died issueless leaving behind the present petitioners as the next nearest reversioners and legal heirs of the deceased recorded tenants. In this background, he submits that both the learned Courts have given the wrong findings and directed to record the name of the private respondent nos. 5 to 11. He submits that in view of this fact, the impugned order may kindly be set aside.

5. Learned counsel appearing for the State and private respondent nos. 5 to 11 jointly submits that both the learned courts have given concurrent findings regarding the issue in question and there is no illegality in the impugned orders, as such this writ petition may kindly be dismissed.

6. Learned counsel for the state further submits that in parcha of the last survey settlement it has come that in the Gentzer's Survey Settlement Jamabandi No. 22 of Mouza Bishunpur stands recorded in the name of Sido Kisku and Dhakhin Kisku and it was shown in the Jimma of the then Village Pradhan Bagmat Hembrom as raiyat, who went to Assam for livelihood.

7. He further submits that the recorded tenants Sido Kisku and Dhakhin Kisku died issueless and hence, Fouti Case No. 69 of 1987 started for the land last settlement of Jamabandi No. 22 of Mouza Bishunpur, Thana No. 09, P.S. Sikharipara, District- Dumka during

the present survey settlement by Assistant Settlement Officer Attestation Camp Shikaripara (North) that has been admitted by the authority concerned. He further submits that not even a single chit of paper brought on record to suggest that these petitioners are the legal heirs and successors of Sido Kisku and Dhakhin Kisku. These aspects of the matter have been rightly appreacited by both the learned courts. Thereafter, private respondents name has been directed to be recorded.

8. On query made by the court, learned counsel appearing on behalf of the petitioners has not been able to demonstrates how the petitioners are legal heirs and successors of Sido Kisku and Dhakhin Kisku. Even in the writ petition no chit of paper has been annexed to that effect showing about inheritance right.

9. Considering all aspects of the matter, the learned courts have passed the order and this court finds that there is no illegality in the impugned orders, as such this writ petition is dismissed.

Pending I.A., if any, stands disposed of.

(Sanjay Kumar Dwivedi, J.)

Dated 23.03.2026
Pawan/
Uploaded
26.03.2026