IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No.970 of 2019

Rakesh Kumar Jha aged about 40 years son of Late Markandey Jha, resident of Village Dahua, P.O.- B Deoghar, P.S.- Mohanpur, District Deoghar at present residing at R.L. Sharaf Road, Chandni Chowk, P.O.+P.S. and District- Deoghar. .....Petitioner.

-Versus-

1. The State of Jharkhand through the Principal Secretary, Department of Land and Revenue, Government of Jharkhand, Dhurwa, P.O.+P.S.- Dhurwa, District - Ranchi.
2. The Principal Secretary, Department of Forest Environment and Climate Change Department, Government of Jharkhand, Nepal House, P.O.+P.S.- Doranda, District- Ranchi
3. The Deputy Commissioner, Deoghar, P.O.+P.S. and District- Deoghar.
4. The Sub Divisional Officer, Deoghar, P.O.+P.S. and District- Deoghar.
5. The Divisional Forest Officer, Forest Division, Deoghar, P.O.P.S. and District- Deoghar. .....Respondents

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CORAM: SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Arvind Kr. Choudhary, Advocate
For the State : Mr. Omiya Amisha, AC to AAG-IA

22/01.09.2026 Heard learned counsel appearing for the petitioner and learned counsel appearing for the Respondents.

2. The petitioner has prayed for following reliefs:

(i) For direction upon the respondents not to disturb the peaceful possession of the petitioner from his land situated in Mouza- Jhosagarhi No. 586, plot no. 689, jamabandi no. 1183, area 10 kathas situated south of Mouza- Karnibag Reserved Forest Area.

(ii) For direction upon the respondents not to make any construction over the aforesaid land of the petitioner during pendency of the writ application before this Hon'ble court.

3. This Court vide order dated 13.05.2026 directed the Respondent to measure the land of the petitioner. The measurement has already been made and the report has been filed. After going through the said

report, I find that in the report, it has been mentioned that no construction of boundaries wall was made by the forest department over the land of the petitioner.

4. The petitioner opposes the said measurement and submits that the measurement even has not been properly been made and wrong point has been taken.

5. Considering the findings in the Report and considering the submission of the petitioner, in my opinion, by exercising Article 226 of the Constitution, this Court cannot resolve the dispute, which involves serious disputed question of facts.

6. Thus, I am not inclined to entertain this writ petition. The petitioner is advised to approach the civil court.

7. With the aforesaid observation, this writ petition is disposed of.

(ANANDA SEN, J.)

01.09.2026
R.Kumar
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