IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No. 6619 of 2014

1. (a) Kiran Devi Modi, aged about 60 years, wife of Late Suresh Kumar Modi, resident of Raunak House, Agrasen Path, Shyam Mandir, Bhuiyan Toli, P.O. G.P.O., P.S. Kotwali, District Ranchi-834001.

1.(b) Saket Modi, aged 37 years, son of Late Suresh Kumar Modi, resident of Raunak House, Agrasen Path, Shyam Mandir, Bhuiyan Toli, P.O. G.P.O., P.S. Kotwali, District Ranchi- 834001.

1(c) Sumeet Modi, aged about 36 years, son of Late Suresh Kumar Modi, resident of Raunak House, Agrasen Path, Shyam Mandir, Bhuiyan Toli, P.O. G.P.O., P.S. Kotwali, District Ranchi-834001.

1.(d) Saurab Modi, aged about 35 years, son of Late Suresh Kumar Modi, resident of Raunak House, Agrasen Path, Shyam Mandir, Bhuiyan Toli, P.O. G.P.O., P.S. Kotwali, District Ranchi- 834001.
2.(a) Poonam Modi, aged about 60 years, wife of Late Ramesh Kumar Modi, Resident of Raunak House, Agarsen Shyam, Mandir Bhuiyan Toli, P.O. G.P.O & P.S. Kotwali, District-Ranchi, PIN-834001, (Jharkhand).
2(b). Pratik Modi, aged about- 38 years, Son of Late Ramesh Kumar Modi, Resident of Raunak House, Agarsen Shyam, Mandir Bhuiyan Toli, P.O. G.P.O & P.S. Kotwali, District- Ranchi, PIN-834001, (Jharkhand).
2(c). Raunak Modi, aged about 34 years, son of Late Ramesh Kumar Modi, Resident of Raunak House, Agarsen Shyam, Mandir Bhuiyan Toli, P.O. G.P.O & P.S. Kotwali, District- Ranchi, PIN-834001, (Jharkhand).

……. Petitioners

-Versus-

1. The Ranchi Municipal Corporation through its Chief Executive Officer, having its office at Kutchery Chowk, Ranchi, P.O. G.P.O., P.S. Kotwali, District Ranchi

2. The Chief Executive Officer, Ranchi Municipal Corporation, having office at Kutchery Chowk, Ranchi, P.O. G.P.O., P.S. Kotwali, District Ranchi.

3. The Assistant Manager (Establishment), Ranchi Municipal Corporation, having office at Kutchery Chowk, Ranchi, P.O. G.P.O., P.S. Kotwali, District Ranchi ……Respondents

With
W.P.(C) No. 5296 of 2014

Shyam Lal Agarwal, son of late Banarsi Lal Agarwal, resident of Flat No. 102, Yashlok Regency, Jai Prakash Nagar, Near Tirupati Balajee Mandir, P.o. Hehal, P.S. Sukhdeonagar, District-Ranchi (Jharkhand)…… Petitioner

Versus

1. The Ranchi Municipal Corporation through its Chief Executive Officer, having its office at Kutchery Chowk, Ranchi, P.O. G.P.O., P.S. Kotwali, District Ranchi

2. The Chief Executive Officer, Ranchi Municipal Corporation, having office at Kutchery Chowk, Ranchi, P.O. G.P.O., P.S. Kotwali, District Ranchi.

3. The Assistant Manager (Establishment), Ranchi Municipal Corporation, having office at Kutchery Chowk, Ranchi, P.O. G.P.O., P.S. Kotwali, District Ranchi .....Respondents

With

W.P.(C) No. 5297 of 2014

Ramjee Prasad, son of late Triloki Nath Prasad, resident of Palkot Road, P.O. and P.S. Gumla, District-Gumla, Jharkhand .....Petitioner

Versus

1. The Ranchi Municipal Corporation through its Chief Executive Officer, having its office at Kutchery Chowk, Ranchi, P.O. G.P.O., P.S. Kotwali, District Ranchi

2. The Chief Executive Officer, Ranchi Municipal Corporation, having office at Kutchery Chowk, Ranchi, P.O. G.P.O., P.S. Kotwali, District Ranchi.

3. The Assistant Manager (Establishment), Ranchi Municipal Corporation, having office at Kutchery Chowk, Ranchi, P.O. G.P.O., P.S. Kotwali, District Ranchi .....Respondents

With

W.P.(C) No. 5315 of 2014

Sushil Jalan, son of Sri Satya Narayan Jalan, resident of Bara Lal Street, Upper Bazar, Ranchi, P.O., G.P.O., P.S. Kotwali, District-Ranchi, Jharkhand .....Petitioner

Versus

1. The Ranchi Municipal Corporation through its Chief Executive Officer, having its office at Kutchery Chowk, Ranchi, P.O. G.P.O., P.S. Kotwali, District Ranchi

2. The Chief Executive Officer, Ranchi Municipal Corporation, having office at Kutchery Chowk, Ranchi, P.O. G.P.O., P.S. Kotwali, District Ranchi.

3. The Assistant Manager (Establishment), Ranchi Municipal Corporation, having office at Kutchery Chowk, Ranchi, P.O. G.P.O., P.S. Kotwali, District Ranchi .....Respondents

With

W.P.(C) No. 5316 of 2014

Abhishek Ajmera, son of Sri Rajendra Jain, resident of Flat No. 402, Sheetal Complex, Lake Road, Near Sewa Sadan Hospital, Ranchi, P.O., G.P.O., P.S. Kotwali, District-Ranchi (Jharkhand) .....Petitioner

Versus

1. The Ranchi Municipal Corporation through its Chief Executive Officer, having its office at Kutchery Chowk, Ranchi, P.O. G.P.O., P.S. Kotwali, District Ranchi

2. The Chief Executive Officer, Ranchi Municipal Corporation, having office at Kutchery Chowk, Ranchi, P.O. G.P.O., P.S. Kotwali, District Ranchi.

3. The Assistant Manager (Establishment), Ranchi Municipal Corporation, having office at Kutchery Chowk, Ranchi, P.O. G.P.O., P.S. Kotwali, District Ranchi .....Respondents

With

W.P.(C) No. 5318 of 2014

Rajdeep Gadodia, son of late Damodar Prasad Gadodia, Resident of Cart Sarai Road, Upper Bazar, P.O., G.P.O., P.S. Kotwali, District-Ranchi (Jharkhand) .....Petitioner

Versus

1. The Ranchi Municipal Corporation through its Chief Executive Officer, having its office at Kutchery Chowk, Ranchi, P.O. G.P.O., P.S. Kotwali, District Ranchi

2. The Chief Executive Officer, Ranchi Municipal Corporation, having office at Kutchery Chowk, Ranchi, P.O. G.P.O., P.S. Kotwali, District Ranchi.

3. The Assistant Manager (Establishment), Ranchi Municipal Corporation, having office at Kutchery Chowk, Ranchi, P.O. G.P.O., P.S. Kotwali, District Ranchi .....Respondents

With

W.P.(C) No. 5322 of 2014

Bal Govind Agarwal, son of late Dina Ram Agarwal, resident of Flat No. 117, Mahalaxmi Tower, Cart Sarai Road, Upper Bazar, P.O., G.P.O., P.S. Kotwali, District-Ranchi (Jharkhand) .....Petitioner

Versus

1. The Ranchi Municipal Corporation through its Chief Executive Officer, having its office at Kutchery Chowk, Ranchi, P.O. G.P.O., P.S. Kotwali, District Ranchi

2. The Chief Executive Officer, Ranchi Municipal Corporation, having office at Kutchery Chowk, Ranchi, P.O. G.P.O., P.S. Kotwali, District Ranchi.

3. The Assistant Manager (Establishment), Ranchi Municipal Corporation, having office at Kutchery Chowk, Ranchi, P.O. G.P.O., P.S. Kotwali, District Ranchi .....Respondents

With

W.P.(C) No. 5326 of 2014

Ankit Agarwal, son of Sri Govind Prasad Agarwal, resident of Burdwan Compound, Lalpur, P.O. and P.S. Lalpur, District-Ranchi, Jharkhand .....Petitioner

Versus

1. The Ranchi Municipal Corporation through its Chief Executive Officer, having its office at Kutchery Chowk, Ranchi, P.O. G.P.O., P.S. Kotwali, District Ranchi

2. The Chief Executive Officer, Ranchi Municipal Corporation, having office at Kutchery Chowk, Ranchi, P.O. G.P.O., P.S. Kotwali, District Ranchi.

3. The Assistant Manager (Establishment), Ranchi Municipal Corporation, having office at Kutchery Chowk, Ranchi, P.O. G.P.O., P.S. Kotwali, District Ranchi .....Respondents

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CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioners :Mr. Sumeet Gadodia, Advocate
: Mr. Ritesh Kumar Gupta, Advocate
: Ms. Nidhi Lall, Advocate
: Ms. Sejal Agarwal, Advocate

For the Respondents : Mr. Rahul Kumar, Advocate
: Mr. P.A.S. Pati, Advocate

15/ 26.10.2026: All these writ petitions have already been tagged together and are being heard with the consent of the parties.

2. Heard Mr. Sumeet Gadodia learned counsel for the petitioners and Mr. Rahul Kumar, learned counsel for the respondents-Ranchi Municipal Corporation.

3. W.P.(C) No.6619 of 2014 has been filed under Article 226 of the Constitution of India for quashing the letter no. 3799 dated 14.10.2014 whereby license granted in favour of the petitioners in respect of piece of land having an area of 5100 sq. ft situated at Municipal Survey Plot No. 732 in Ward No. 5 of Ranchi Municipal Corporation at Jalan Road, Ranchi, has been cancelled. Further prayer has been made for quashing the letter no. 4294 dated 4.12.2014 whereby the petitioners have been directed to vacate the shop premises in question pursuant to cancellation of their license. Further prayer has been made for direction upon the respondents to consider and settle shops in question in the name of the petitioners.

4. In W.P.(C) No. 5296 of 2014, W.P.(C) 5297 of 2014, W.P.(C) No. 5315 of 2014, W.P.(C) No. 5316 of 2014, W.P.(C) No. 5318 of 2014, W.P.(C) No. 5322 of 2014 and W.P.(C) No. 5326 of 2014 similar prayer has been made. However, in all these writ petitions except in W.P.(C)

No.6619 of 2014 another additional prayer is made for quashing and setting aside the order dated 13.02.2015 passed by the Chief Executive Officer, Ranchi Municipal Corporation, wherein the request made by the petitioner for grant of lease/license and/or re-allotment of the shop being Shop No. 3, having an area of 425 sq. ft situated at Jalan Road, Upper Bazar, Ranchi, after accepting requisites Donation and License Fee, has been rejected which was allowed to challenge by the amendment petition by order dated 29.11.2019 in I.As, filed in the seven writ petitions.

5. Mr. Sumeet Gadodia, learned counsel for the petitioners submits that the petitioners in W.P.(C) No. 6619 of 2014 are the legal heirs and successors of late Shri Mohan Lal Katchi. He submits that in the year 1966-67, the then Ranchi Municipality (now Ranchi Municipal Corporation) had settled a piece of land, measuring an area of 5100 Sq. ft. bearing Municipal Survey Plot No. 732 in Ward No. 5 of Ranchi Municipal Corporation, Ranchi in favour of one Shri Mohan Lal Katchi and thereafter the said Mohan Lal Katchi was in continuous possession of the said plot of land since the year 1966-67 and was carrying out the business of "Tent House" in the said plot. He next submits that said Mohan Lal Katchi died leaving behind his son Mahendra Kumar Katchi who succeeded the properties of said Mohan Lal Katchi. He also submits that in the year 2000, Shri Mahendra Kumar Katchi son of late Mohan Lal Katchi entered in a partnership agreement with the present petitioners for carrying out of its business of Tent House along with the original writ petitioners who were substituted later on. He submits that

the said business continued in that partnership for a while. However by mutual agreement between Mahendra Katchi, partnership agreement between them was dissolved and the plot of land having an area of 5100 Sq. ft was surrendered by Shri Mahendra Kumar Katchi in favour of petitioners and a request was made to Ranchi Municipal Corporation for allotment of said land in favour of the petitioners and the said fact has been brought into knowledge of the Ranchi Municipal Corporation contained in Annexure-1 and 1/1 and 1/2 respectively annexed in W.P.(C) No. 6619 of 2014. He submits that the Ranchi Municipal Corporation vide its order dated 9.12.2003 allotted the same in favour of the original petitioners contained in Annexure-2 to W.P.(C) No. 6619 of 2014. He next submits that the petitioners were directed to pay license fee on year to year basis for settlement of land. He further submits that pursuant to settlement of land in favour of the petitioners, an agreement dated 5.6.2004 was also executed by and between the petitioners and the Ranchi Municipal Corporation and land measuring an area of 5100 Sq. ft. forming part of Municipal Survey Plot No. 732 in Ward No. 5 of the Ranchi Municipal Corporation, situated at Jallan Road, Upper Bazar, Ranchi was settled in favour of the petitioners. The said settlement was made on payment of license fee contained in Annexure-3 of W.P.(C) No. 6619 of 2014. He next submits that initially the land was settled on payment of license fee by Ranchi Municipal Corporation in favour of one Mohan Lal Katchi. Thereafter pursuant to surrender of said land in favour of the petitioners, the land was re-settled in favour of the petitioners by the Ranchi Municipal Corporation

in the year 2003 on payment of license fee and deposit of donation fee for re-settlement of land in question. Mr. Gadodia further submits that the land in question was a vacant land which was settled in favour of the petitioners and there were certain temporary structures over the said land and under the aforesaid circumstance, pursuant to settlement of land in favour of the petitioners, an application was made by the petitioners on 11.6.2004 to the Ranchi Municipal Corporation requesting for grant of permission for making construction of permanent structure over the said land in question. He submits that pursuant to said application, permission was granted by the Ranchi Municipal Corporation for making construction over the said piece of land after taking approval from the concerned development authority by letter no. 1708 dated 06.08.2004 contained in Annexure-4 and 4/1 of W.P.(C) No. 6619 of 2014. He further submits that the petitioners were engaged in the business of Steel Utensils and wanted to expand their business. He next submits that in the aforesaid background that the petitioners in all the writ petitions reached an agreement with among themselves and Ranchi Municipal Corporation constructed the shops and he submits that Suresh Modi and Ramesh Modi who were the petitioners in W.P.(C) No. 6619 of 2014 requested the the Ranchi Municipal Corporation to re-allot the shops/lands in favour of other seven petitioners by accepting all requisites fee criteria however, notice dated 09.09.2014 to show cause has been issued as to why the licence should not be cancelled. He submits that reply to said notice was made by the petitioners and by order dated 14.10.2014 Ranchi Municipal

Corporation cancelled the agreement and directed to vacate the shops.

6. He next submits that said order is cryptic and there is no reason assigned in the order. He submits that when the writ petitions were taken up by the Coordinate Bench of this Court the status quo was directed to be maintained by order dated 10.12.2014 and in the meantime the petitioners were put at liberty to approach the respondent-Ranchi Municipal Corporation by way of filing the representation for grant of lease in their favour and thereafter the petitioners have approached the Ranchi Municipal Corporation which has been further rejected by order dated 13.02.2014 which has been allowed to challenge by way of amendment petition in other writ petitions. He next submits that in the said order also only earlier facts have been reiterated and there is no consideration of the fact which has been disclosed in the writ petitions. On the aforesaid background, he submits that the impugned orders may kindly be set aside.

7. On the other hand, Mr. Rahul Kumar, learned counsel for the Ranchi Municipal Corporation opposes the prayer and submits that the petitioners herein violated the terms and conditions of licence and in view of that Ranchi Municipal Corporation has rightly passed the order. He submits that now Ranchi Municipal Corporation itself in need of plot and wants to do development on the said plot and in view of that there is no illegality in the impugned orders and this is a case of sub-letting and in that view of the matter the writ petitions may kindly be dismissed.

8. In view of the above submissions of the learned counsel for

the parties and going through the annexures annexed with the writ petitions, it transpires that the said plot was allotted in favour of Shri Mohan Lal Katchi in the year, 1966-77. There is no doubt that allotment was made on certain terms and conditions however, the documents available on record further suggests that permission was granted by Ranchi Municipal Corporation to construct the shop and permission was also granted by the Ranchi Municipal Corporation by way of annexure 4/1 of the W.P.(C) No.6619 of 2014.

9. On perusal of impugned order dated 14.10.2014, it transpires that order is of three lines and there is no consideration of aforesaid facts and reason is not provided. Reference may be made to the judgement in the case of ***"Chairman, Life Insurance Corporation of India and others Vs. A. Masilamani"*** reported in ***(2013) 6 SCC 530***, wherein para 19 it has been held as under:-

> *"19. The word "consider" is of great significance. The dictionary meaning of the same is, "to think over", "to regard as", or "deem to be". Hence, there is a clear connotation to the effect that there must be active application of mind. In other words, the term "consider" postulates consideration of all relevant aspects of a matter. Thus, formation of opinion by the statutory authority should reflect intense application of mind with reference to the material available on record. The order of the authority itself should reveal such application of mind. The appellate authority cannot simply adopt the language employed by the disciplinary authority and proceed to affirm its order.* ***(Vide Indian Oil Corpn. Ltd. v. Santosh Kumaris and Bhikhubhai Vithlabhai Patel v. State of Gujarat 16.)"***

10. The order dated 13.02.2015 passed by the Chief Executive Officer, Ranchi Municipal Corporation, was allowed to challenge by the amendment petition by order dated 29.11.2019 in I.As, filed in the seventh writ petitions. It further transpires that the said order is also not

reasoned order and only fact has been reiterated that earlier show cause has been issued and representation was not suited to the authority concerned and that is why said order has been passed. In the said order also there is no consideration of aforesaid facts which has been stated in the writ petitions as noted hereinabove.

11. In view of above facts, reasons and analysis the Court finds that impugned orders are not reasoned one and cryptic orders have been passed by the statutory authority which is not permissible in the eye of law. As such the impugned orders dated 14.10.2014, 04.12.2014 and 13.02.2015 are quashed and set aside.

12. The matter is remitted back to the respondent-Ranchi Municipal Corporation who is respondent no.1 to provide an opportunity hearing to the petitioners taking into account their submission as well as documents and thereafter pass a reasoned order.

13. Till the decision is taken by the respondent-authority the possession of the petitioners shall not be disturbed.

14. The aforesaid exercise shall be completed by the respondent no.1 within a period of twelve weeks from the date of receipt/production of a copy of this order.

15. The petitioners will cooperate and appear before the respondent authority.

16. All these writ petitions are allowed and disposed of in above terms. Pending I.A, if any, stands disposed of.

(Sanjay Kumar Dwivedi, J.)

Dt.26.10.2026
*Satyarthi/-***A.F.R**.