IN THE HIGH COURT OF JHARKHAND AT RANCHI

L.P.A. No. 435 of 2025

The Jamshedpur Co-operative House Building Society Ltd., a registered cooperative society, Registration No. B-5B of 1950, having its Office at Rajendranagar, P.O. Sakchi, P.S. Sakchi, Town Jamshedpur, District East Singhbhum-831 001, through its President Srikrishna Pandey, Aged about 84 years, Son of Late U.N. Pandey, Resident of A-1, 13, Anand Vihar, P.O. TELCO, P.S. TELCO, District East Singhbhum.

... Appellant

Versus

1. Bank of India, through its Chief Manager, Jamshedpur Branch, Bistupur, P.O. Bistupur, P.S. Bistupur, Town Jamshedpur, District East Singhbhum-831 001.
2. R.N. Shukla, Aged about 54 years, Son of Late G. Shukla, Resident of 19, Haladhar Mahato Colony, P.O. Mango, P.S. Mamgo, Town Jamshedpur, District East Singhbhum-831 012.
3. Deep Narayan Prasad, Son of Kartik Narayan Prasad, Resident of Flat No. 4/2, 4th Floor, Samrat Tower, Kailash Nagar, Town Jamshedpur, P.O. Sonari, P.S. Sonari, District East Singhbhum-831 011.
4. Sub-Divisional Officer, Dhalbhum, Jamshedpur, having his Office at Jublee Park, P.O. Sakchi, P.S. Sakchi, District East Singhbhum-831 001.

... Respondents

CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Appellant: Mr Deepak Kumar Sinha, Advocate
For the Respondents: Dr. Gyanendra Kumar, Advocate

03/Dated: 29.10.2026

1. Heard Mr Deepak Kumar Sinha, learned counsel for the appellant.

2. I.A. No. 8425 of 2025 seeks condonation of delay of 6 days in instituting the accompanying appeal.

3. There is no difficulty in condoning this 6-day delay. However, on perusal of the impugned order dated 11.03.2025 in W.P.(C)

No. 979 of 2025, we note that the appellant's W.P.(C) No. 979 of 2025 was dismissed on the ground that the appellant has an efficacious and alternate remedy under Section 30 of the Recovery of Debts and Bankruptcy Act, 1993 against the impugned order dated 24th March, 2022 passed by the Recovery Officer, DRT, Ranchi in R.P. No. 15 of 2012. Mr Sinha tried to contend that the appellant was not a party to the proceedings before the Recovery Officer, DRT and therefore, the extraordinary jurisdiction of this Court under Article 226 of the Constitution was correctly invoked.

4. Several decisions of the Hon'ble Supreme Court hold that, in such matters, the writ Court should ordinarily not interfere when parties have alternative and efficacious remedies under the provisions of the 1993 Act. The fact that the appellant was not a party does not, as a matter of right, entitle the appellant to invoke this Court's extraordinary jurisdiction under Article 226 of the Constitution.

5. Further, we note that the impugned order had even protected the appellant by directing that if the appellant prefers an appeal by 2nd April, 2025 along with an application seeking condonation of delay in preferring the same, the appellate authority should consider the said application leniently and proceed to hear and dispose of the appeal in accordance with law. Instead of availing of such indulgence, the appellant has chosen to institute this appeal and further delay resorting to the alternate remedy provided under the 1993 Act.

6. In our judgment, the impugned order contains no error warranting interference by the Letters Patent Bench.

7. Accordingly, there is no need to issue notices to the respondents, condone the delay, and then dismiss this appeal.

8. For the above reasons, we dismiss I.A. No. 8425 of 2025 and the accompanying L.P.A. No. 435 of 2025 without any order for costs. Pending Interlocutory Applications, if any, do not survive and are disposed of.

(M. S. Sonak, C.J.)

(Anubha Rawat Choudhary, J.)

October 29, 2026

N.A.F.R.

APK/VK

Uploaded on 30.10.2026